

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8507 SENATE TRANSPORTATION

LOWERING BLOOD ALCOHOL LEVELS

By Jeanne Mejeur

Drunk driving still kills.

Alcohol is a major factor in highway fatalities. It is involved in 48 percent of all fatal accidents, according to the Fatal Accident Reporting System (FARS) of the National Highway Traffic Safety Administration. That is a decrease from 57 percent in 1982, but alcohol still accounts for 51 percent of weekend fatalities and 57 percent of nighttime crashes; for accidents occurring during the nighttime on weekends, the figure jumps to an alarming 63 percent.

Illegal per se laws create an irrefutable presumption of drunkenness.

In an effort to reduce drunk driving, nearly every state has established a threshold to determine when a person is legally intoxicated while driving a motor vehicle, through the use of illegal per se (Latin, meaning by itself) laws. These laws make it a crime to operate a vehicle with a blood alcohol content (BAC) above the statutorily established level. Simply put, if a driver is caught with a BAC level above the legal limit, there is an irrefutable presumption that he or she is drunk.

Most states established BAC levels of .10.

BAC measures the ratio of grams of alcohol in blood, breath or urine. When states began enacting illegal per se laws in the early 1980s, most set the BAC level at .10. Over the last several years however, a number of states have reconsidered the effectiveness of the .10 standard in reducing drunk driving, and some have lowered the level for legal intoxication to .08.

Many people exhibit at least some effects of alcohol with a BAC level as low as .04 and everyone is impaired to some extent at a .08 level in motor skills, ability to concentrate, reaction time, vision and judgment. The National Safety Council estimates that a BAC level of .08 is reached by consuming two to four alcoholic beverages.

State Action

Ten states now have .08 levels.

During the 1993 legislative session, **FLORIDA, KANSAS, NEW HAMPSHIRE, NEW MEXICO and NORTH CAROLINA** changed their laws to reduce the illegal per se level to .08, joining **CALIFORNIA, MAINE, OREGON, UTAH and VERMONT** that had already done so.

The effectiveness of the .08 standard is not easily determined because it is only one of a variety of strategies used by states to curb drunk driving and it is not without controversy. In fatal accidents involving alcohol, only 5 percent of drivers had a level of .08 to .099 while 83 percent had levels of .10 or higher (12 percent were under .08), according to FARS. Activists are divided on whether lowering the level is addressing the real problem.

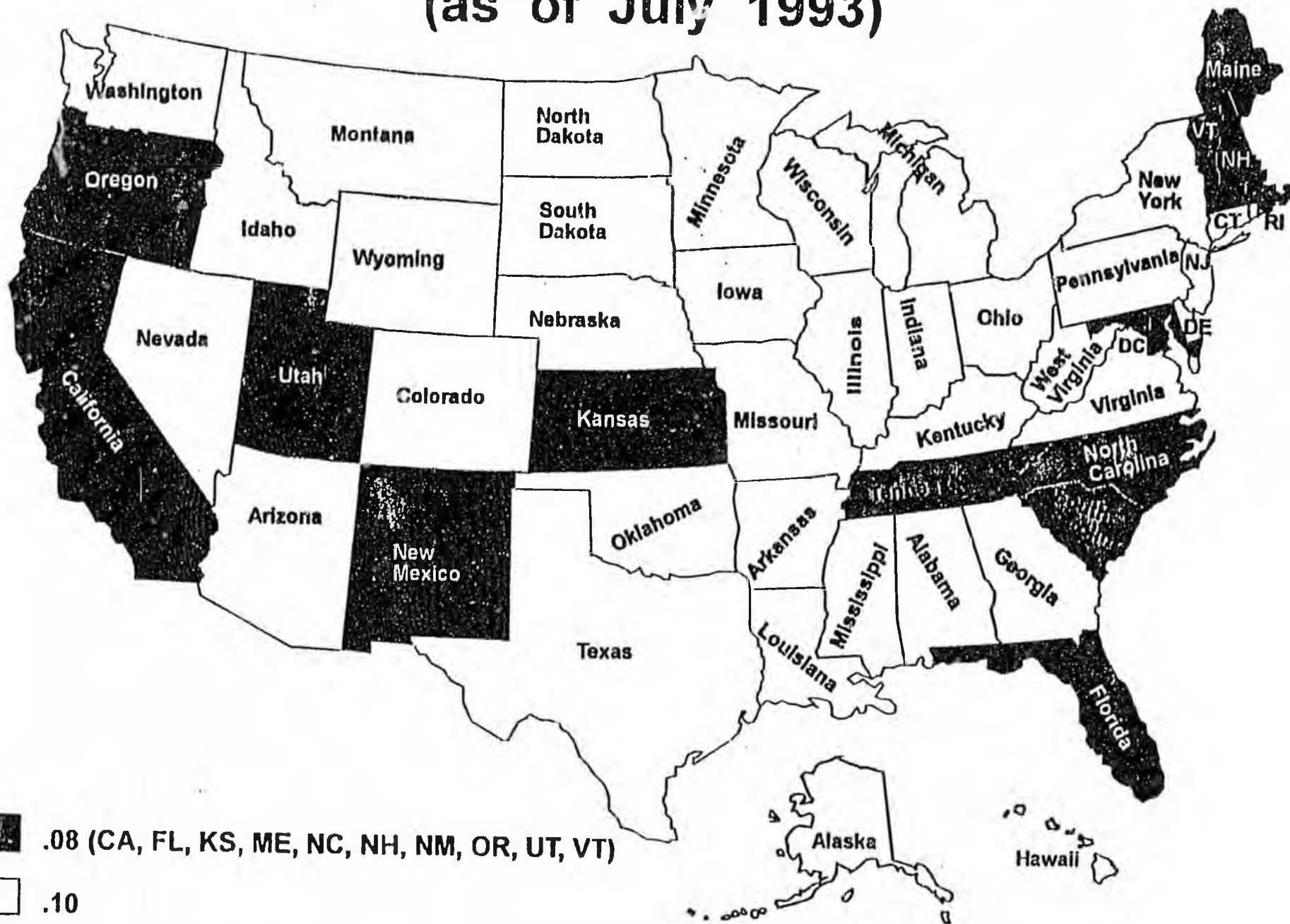
Lowering the legal level for intoxication does permit law enforcement officers to make more arrests and get more drunk drivers off the streets. It increases public awareness of strict drunk driving enforcement and suggests to people who may be tempted to drive after having consumed alcohol that they are more likely to be stopped for drunk driving.




Lower BAC levels may increase costs.

States that enact a lower BAC level as part of their illegal per se law can anticipate increases in the workload of law enforcement agencies, the criminal justice system and state and local corrections, and must consider the additional resources that will be needed to enforce the lower level.

Some states are establishing even lower BAC levels for young drivers, who are considered a high-risk population for drinking and driving. Despite not being legally able to purchase alcohol until age 21, 44 percent of fatally injured drivers aged 15-20 had positive BAC levels, according to FARS. A

States with BAC Per Se Laws (as of July 1993)



-  .08 (CA, FL, KS, ME, NC, NH, NM, OR, UT, VT)
-  .10
-  No Per Se Law (MA, MD, SC, TN)

716 W. FOURTH AVE.
ANCHORAGE, ALASKA 99501-2133
258-8191

WHILE IN SESSION:
ALASKA STATE CAPITOL
JUNEAU, ALASKA 99801-1182
465-4968

Alaska State Legislature
House of Representatives



DISTRICT 11:
SAND LAKE
SPENARD
TAKU-CAMPBELL

Representative Jim Nordlund

SECTIONAL ANALYSIS
CSHB 61(FIN)am

Section 1. Findings and purpose.

Section 2. Clarifies when a person is intoxicated for purposes of the crime of operating a commercial motor vehicle while intoxicated.

Section 3. Clarifies when a person is intoxicated for purposes of the crime of operating or driving a motor vehicle or operating an aircraft or watercraft while intoxicated. Also changes the legal level of intoxication from .10BAC to .08BAC.

Section 4. Changes the applicable level of intoxication for the purposes of presumptions in criminal and civil proceedings to conform to the new standard.

Section 5. Removes .08 as the standard of liability for alcohol servers.

Section 6. Effective date of September 1, 1994.

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SPONSOR STATEMENT

House Bill 61 reduces the legal definition of intoxication for the crime of driving while intoxicated from .10% to .08% blood alcohol content. This means it would be illegal for a person to be in control of a motor vehicle, aircraft, or watercraft with a blood alcohol level of .08% or greater.

Last year, as we continued to consider this bill, 5 more states passed .08 laws bringing the total to 10. All of Canada has a .08% blood alcohol threshold, and all European nations prohibit driving with a .08% or lower blood alcohol level.

Scientific evidence persuasively establishes that the risk of a driver being involved in a serious or fatal crash increases as the alcohol concentration in the body increases. Many studies have shown that measurable impairment to operate a motor vehicle begins in most drivers at or below .05% blood alcohol level, and that all drivers are impaired at a blood alcohol level of .08%.

Setting the allowable blood alcohol level at .08% will greatly increase the probability of obtaining convictions for drunk driving. Because the law will increase the certainty of conviction, it will also be more effective than current law in deterring drunk driving and in reducing the number of alcohol related crashes.

According to the Department of Public Safety, Alaska receives approximately \$200,000 in section 410 Grants of Alcohol Incentive Program from the federal government. Alaska will be eligible for a 5% increase if House Bill 61 passes. If we fail to reduce the level from .10 to .08 within the next two years, we will become ineligible to receive any of these funds.

Far more important than the fiscal impact of this law is its ability to save lives. A study by the state of California showed that traffic fatalities were reduced by 12% after the implementation of .08 DWI laws.

On December 30, 1993, the Supreme Court ruled in Haynes v. Dept. of Public Safety that due to the margin of error inherent to the Intoximeter 3000 of .01, the actual level at which an operator of a motor vehicle should be convicted of drunk driving is .11. This shows an even stronger need for .08 legislation.

Since it was introduced, House Bill 61 has received an overwhelming amount of public support. In addition to the support of many individual Alaskans, House Bill 61 is endorsed by:

American Automobile Association
General Federation of Women's Clubs
Association for the Advancement of Automotive Medicine
International Association of Chiefs of Police
National Association of Independent Insurers
National Institute for Alcohol Abuse and Alcoholism
National Transportation Safety Board
National Highway Traffic Safety Administration
Allstate Insurance Company
State Farm Insurance
American Medical Association
American Association of Neurological Surgeons
American Spinal Injury Association
National Safety Council
Mothers Against Drunk Driving (MADD)
Remove Intoxicated Drivers (RID)
Insurance Institute for Highway Safety
National Committee on Uniform Traffic Laws and Ordinances
National Commission Against Drunk Driving
Network of Employees for Traffic Safety
U.S. Surgeon General, Health & Human Services
Alaska Peace Officer's Association
Victims for Justice

DWI REVOCATION STATISTICS

Year 1992

LOCATION	POLICE DEPARTMENTS		TROOPERS		TOTAL
	Refusals	Took Test	Refusals	Took Test	
Anchorage	246	1,343	37	276	1,902
Fairbanks	62	219	60	329	670
Juneau	35	217	0	16	268
Soldotna	18	69	34	87	208
Ketchikan	35	139	17	106	297
Homer	17	61	6	57	141
Sitka	22	131	0	1	154
Palmer	9	35	85	493	622
Kenai	22	100	0	0	122
Cordova	3	22	0	4	29
Valdez	11	53	0	1	65
Kodiak	13	98	4	18	133
Seward	20	77	0	13	110
Nome	7	20	0	0	27
North Pole	6	55	0	0	61
Haines	3	15	0	0	18
Barrow	36	84	0	0	120
Craig	9	45	0	1	55
Wrangell	8	19	0	0	27
Petersburg	7	17	0	0	24
Military	2	16	0	0	18
Bethel	39	92	0	0	131
Dillingham	11	38	0	0	49
FBKS Air Pol	0	22	0	0	22
ANCH Air Pol	2	3	0	0	5
Other	40	153	11	96	300
TOTAL	683	3,143	254	1,498	5,578

BREATH TEST RESULTS:

.10 to .149		1,259
.15 to .199		1,708
.20 to .249		1,141
.25 to .299		416
.30 to .349		101
.35 and up		16

1993 REVOCATION STATISTICS BAC DESK						
LOCATIONS	POLICE DEPARTMENTS		TROOPERS			
	REFUSALS	TOOK TEST	REFUSALS	TOOK TEST	TOTAL	
ANCHORAGE	229	1347	52	281	1909	
FAIRBANKS	90	274	45	249	658	
JUNEAU	48	230		7	285	
SOLDOTNA	16	88	28	60	192	
WASILLA	21	104			125	
KETCHIKAN	36	134	11	79	260	
HOMER	13	64	10	27	114	
SITKA	24	97			121	
PALMER	16	69	92	481	658	
KENAI	27	126			153	
CORDOVA	5	18			23	
VALDEZ	5	29			34	
KODIAK	24	96	4	21	145	
SEWARD	23	114	1	2	140	
NOME	6	33		1	40	
NORTH POLE	13	64			77	
HAINES	3	8		1	12	
BARROW	33	60			93	
CRAIG	4	53	1		58	
WRANGELL	7	20			27	
PETERSBURG	12	19		1	32	
MILITARY POLICE		9			9	
BETHEL	37	77			114	
DILLINGHAM	6	11			17	
AIRPORT POLICE	3	6			9	
OTHER	46	156	2	2	206	
TOTAL	747	3306	246	1212	5511	
BREATH TEST RESULTS %						
.10 TO .149	1226					
.15 TO .199	1749					
.20 TO .249	1060					
.25 TO .299	371					
.30 TO .349	95					
.35 AND UP	17					

CS FOR HOUSE BILL NO. 61(FIN) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 2/23/94
Offered: 2/15/94

LTD
RUN

Sponsor(s): REPRESENTATIVES NORDLUND, Ulmer, Brown, Porter
SENATOR Leman

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to the offense of operating a commercial motor vehicle while
2 intoxicated and the offense of operating a motor vehicle, aircraft, or watercraft
3 while intoxicated; relating to presumptions arising from the amount of alcohol in
4 a person's breath or blood; relating to chemical testing of a person's breath; and
5 providing for an effective date."

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

7 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that the number of
8 persons who are drinking and driving in an impaired condition is a matter of serious concern,
9 and that there is a rational relationship between establishing a lower limit of alcohol
10 consumption and reducing the number of alcohol-related accidents and fatalities.

11 (b) It is the purpose of this Act to promote the general welfare and public safety by
12 imposing a more restrictive legal limit on alcohol consumption above which the person will
13 lose the privilege to drive.

1 * Sec. 2. AS 28.33.030(a) is amended to read:

2 (a) A person commits the crime of operating a commercial motor vehicle while
3 intoxicated if the person operates a commercial motor vehicle

4 (1) while under the influence of intoxicating liquor or any controlled
5 substance;

6 (2) when, as determined by a chemical test taken within four hours
7 after the alleged offense was committed, there is at the time the test is taken 0.04
8 percent or more by weight of alcohol in the person's blood or 40 milligrams or more
9 of alcohol per 100 milliliters of blood, or when there is 0.04 grams or more of alcohol
10 per 210 liters of the person's breath; or

11 (3) while under the combined influence of intoxicating liquor and a
12 controlled substance.

13 * Sec. 3. AS 28.35.030(a) is amended to read:

14 (a) A person commits the crime of driving while intoxicated if the person
15 operates or drives a motor vehicle or operates an aircraft or a watercraft

16 (1) while under the influence of intoxicating liquor, or any controlled
17 substance;

18 (2) when, as determined by a chemical test taken within four hours
19 after the alleged offense was committed, there is at the time the test is taken 0.08
20 [0.10] percent or more by weight of alcohol in the person's blood or 80 [100]
21 milligrams or more of alcohol per 100 milliliters of blood, or when there is 0.08 [0.10]
22 grams or more of alcohol per 210 liters of the person's breath; or

23 (3) while the person is under the combined influence of intoxicating
24 liquor and a controlled substance.

25 * Sec. 4. AS 28.35.033(a) is amended to read:

26 (a) Upon the trial of a civil or criminal action or proceeding arising out of acts
27 alleged to have been committed by a person while operating or driving a motor vehicle
28 or operating an aircraft or a watercraft while intoxicated, the amount of alcohol in the
29 person's blood or breath at the time alleged shall give rise to the following
30 presumptions:

31 (1) If there was 0.04 [0.05] percent or less by weight of alcohol in the

1 person's blood, or 40 [50] milligrams or less of alcohol per 100 milliliters of the
2 person's blood, or 0.04 [0.05] grams or less of alcohol per 210 liters of the person's
3 breath, it shall be presumed that the person was not under the influence of intoxicating
4 liquor.

5 (2) If there was in excess of 0.04 [0.05] percent but less than 0.08
6 [0.10] percent by weight of alcohol in the person's blood, or in excess of 40 [50] but
7 less than 80 [100] milligrams of alcohol per 100 milliliters of the person's blood, or
8 in excess of 0.04 [0.05] grams but less than 0.08 [0.10] grams of alcohol per 210 liters
9 of the person's breath, that fact does not give rise to any presumption that the person
10 was or was not under the influence of intoxicating liquor, but that fact may be
11 considered with other competent evidence in determining whether the person was
12 under the influence of intoxicating liquor.

13 (3) [REPEALED]

14 (4) If there was 0.08 [0.10] percent or more by weight of alcohol in
15 the person's blood, or 80 [100] milligrams or more of alcohol per 100 milliliters of the
16 person's blood, or 0.08 [0.10] grams or more of alcohol per 210 liters of the person's
17 breath, it shall be presumed that the person was under the influence of intoxicating
18 liquor.

19 * Sec. 5. AS 28.35.033(c) is amended to read:

20 (c) The provisions of (a) of this section

21 (1) may not be construed to limit the introduction of any other
22 competent evidence bearing upon the question of whether the person was or was not
23 under the influence of intoxicating liquor; and

24 (2) do not apply to a civil action permitted under AS 04.21.020.

25 * Sec. 6. This Act takes effect September 1, 1994.

FISCAL NOTE

No. 9
 Bill Version: CSHB 61 (FIN)
 (H) Publish Date: 2/15/94

STATE OF ALASKA
 1994 LEGISLATIVE SESSION

Revision Date: 2/11/94 Dept. Affected: Corrections
 Title: An Act relating to the offense of BRU: All
operating a motor vehicle .. Component: All
 Sponsor: Rep. Nordlund
 Requestor: House Finance COMPONENT SERIAL NO. 694-1884

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	166.6	171.6	176.7	182.0	187.5	193.0
TOTAL OPERATING	166.6	171.6	176.7	182.0	187.5	193.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004-GF	33.3	34.3	35.3	36.4	37.5	38.6
1005 GF/Program Receipts	133.3	137.3	141.4	145.6	150.0	154.4
1006 GF/MHTIA						
Other						
TOTAL	166.6	171.6	176.7	182.0	187.5	193.0

Estimate of any current year (FY94) cost: \$ 0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Please see the attached fiscal analysis.

Prepared by: Diane Schenker, Special Assistant Phone: 465-4643/786-2147
 Division: Office of the Commissioner Date: 2/11/94
 Approved by Commissioner: J. Frank Prewitt, Jr. Date: 2/11/94
 Agency: Department of Corrections

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The bill lowers the blood alcohol limit for the crime of DWI, from .10 to .08 percent.

Assumptions

1. According to the National Highway Traffic Safety Administration, a study of five other states indicates an average increase in DWI cases of approximately 3.9% as a result of lowering the limit from .10 to .08. On 12/31/93 there were 130 inmates incarcerated for DWI, statewide. A 3.9 percent increase in this population would raise the DWI population by 5.07 inmates, or 1,851 inmate-days per year ($5.07 \times 365 = 1,851$).
2. The cost per day to incarcerate the average DWI case is \$90. The department calculated this cost by using the cost of Community Residential Center (CRC) beds and state correctional beds actually used to incarcerate DWIs last year. Generally, DWI cases are housed in state correctional centers only in unsentenced status or in locations where no CRC is available.
3. A recent change in law requires DWI offenders to pay for some of the costs of incarceration. The department has written regulations to collect these fees, which should go into effect within the next month or so. The regulation will require a first-time DWI offender to pay \$270, and a second-time offender to pay \$1,000. The Department of Law, which is expected to collect the fees, expects to collect approximately 80% of the fees, through voluntary compliance and by taking Permanent Fund Dividends. It is expected that the fees will offset costs only for first and second-time offenders.
4. There are currently about 650 DWI offenders on waiting lists to serve their sentences. If the courts were to remand offenders directly to jail to serve their mandatory sentences, instead of allowing many DWI offenders to report to the department for a distant date to serve the sentence, the impact of this legislation would be greater and more immediate. The reason there were only 130 DWI offenders incarcerated on 12/31/94 is that the department was able to control the rate of intake in many cases. Because the statewide waiting list grew to over 2500 offenders and a sentence delay of more than eight months last year, it is possible the courts may cease or lessen the use of this option.
5. The legislation only affects DWIs charged under state statute. DWIs charged under local city ordinances will remain at the .10 level unless the local laws are changed. It is estimated that over half of the DWIs incarcerated in the state correctional system are from Anchorage, charged under city law.
6. Increases in DWI cases may have a "ripple effect" on other crimes, such as Failure to Appear, Failure to Satisfy Judgment, and Driving With License Suspended/Revoked. The department notes that misdemeanants are the fastest-growing incarcerated population. It is

assumed that this factor could double the number of additional inmates referenced in Assumption 1. However, it is assumed that Assumption 5 will offset this, since half the DWI population comes from Anchorage on municipal, rather than state, charges.

7. National studies suggest that this type of legislation may reduce the number of traffic fatalities. This could result in some lessening of prisoner-days served for vehicular homicides. This may help offset the costs not reflected in the fiscal note, for possible increases in remands rather than court-reports, and for third-time or higher offenders who cannot pay the costs of incarceration through fees.

8. The costs of incarceration are reflected under "miscellaneous" because some expenses will be incurred in individual institutions, some in CRC contracts, and some in department overhead for administering contracts and providing support services for institutions.

9. A 3% inflation factor is assumed.

Operating Expenses

1,851 inmate-days per year X \$90 per day = \$ 166,590 total expense, FY95

80% (DWI fee collection rate) of \$ 166,590 = \$ 133,272 GF/Program Receipts, FY95

\$166,590 - \$133,272 = \$ 33,318 GF, FY95

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSHB 61 (Jud) am

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act relating to the offense of operating a motor vehicle, aircraft or watercraft while intoxicated..." BRU: Public Defender
 Component: Public Defender
 Sponsor: Rep. Nordlund
 Requestor: (S) Trsp COMPONENT SERIAL NO. 1631

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	87.9	105.5	105.5	105.5	105.5	105.5
TRAVEL						
CONTRACTUAL						
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	2.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	90.9	106.5	106.5	106.5	106.5	106.5

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	90.9	106.5	106.5	106.5	106.5	106.5
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
Total	90.9	106.5	106.5	106.5	106.5	106.5

Estimate of current year (FY94) cost: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

See attached.

Prepared by: John Salemi, Public Defender Phone: 264-4400
 Division: Public Defender Agency Date: _____

Approved by Commissioner: Nancy Bear Usura Date: 3/7/94
 Agency: Administration

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CONTINUATION OF FISCAL NOTE ANALYSIS
For CSHB 61 (Jud) am

CSHB 61 amends the State statutes regarding the crime of driving while under the influence of alcohol. The most significant change in the law proposed through this bill involves the amount of alcohol which a driver can have in his/her system in order to be found guilty of driving while intoxicated. Under present law, a suspected drunk driver who takes a chemical test and is found with 0.10% or more (by weight) of alcohol in his/her blood, is presumed by the court to be under the influence. If found guilty of said offense, mandatory minimum penalties must be imposed.

CSHB 61 lowers the amount of alcohol which must be found in the blood in order for a person to be presumed guilty of driving while intoxicated. This proposal also changes the evidentiary presumptions with respect to this issue. See Section 4, paragraph (a)(4) amending AS 28.35.033.

Significant mandatory penalties attach to a conviction for driving while intoxicated. These punishments will apply to the provisions of this bill.

The Public Defender supports all legislative enactments which reasonably deter driving while under the influence. Other states have lowered the blood alcohol level as is done through this proposal.

Fiscal Impact

There will be distinct fiscal impact on the Public Defender Agency if this bill becomes law. Under present law, individuals who fall into the .08%-10% range typically are offered a reduced charge of Reckless Driving in exchange for a plea of no contest. Reckless Driving carries no significant mandatory minimum penalties, does not have the same stigma as a DWI conviction, and in other ways is a more acceptable resolution of a case, from a defendant's perspective, than is a conviction for drunk driving. If this bill passes, it is anticipated that there will be more DWI charges and as a result, more DWI clients wishing to exercise their right to trial. With the attorneys who handle misdemeanors in Anchorage and Fairbanks already carrying caseloads of over 100 cases, it is likely additional resources will be required so that effective legal representation can be provided for these additional DWI prosecutions. It is felt that the fiscal impact can be absorbed through the use of paralegals to assist attorneys in file organization, witness coordination, and other related support work. As such, two paralegal positions are requested; one each for Anchorage and Fairbanks.

Budget Analysis

Anchorage:

Paralegal II	16A	\$ 51.8
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Fairbanks:

Paralegal II	16A	53.7
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100	Personal Services (10 months first year)	\$ 87.9
200	Travel	0.0
300	Contractual	0.0
400	Supplies	1.0
500	Equipment (one time)	2.0
	TOTAL	\$ 90.9

Position Title Paralegal Assistant II		No. of Positions 2	Range / Step 16/A	Barg. Unit GGU
Time Status PFT	Staff Months 20.0	Location EBA - JBA		Election District 7 - 20
TYPE OF EXPENDITURE		Amount	Justification HB 61 amends the state statutes regarding the crime of driving while under the influence of alcohol. The most significant change in the law proposed through this bill involves the amount of alcohol which a driver can have in their system in order to be found guilty of driving while intoxicated. If this bill passes it is anticipated that there will be more DWI charges and as a result more DWI clients wishing to exercise their right to trial. With the attorneys who handle misdemeanors in Anchorage and Fairbanks already carrying caseloads of over 100 cases, additional resources will be required so that effective legal representation can be provided. The fiscal impact can be absorbed through the use of paralegals to assist attorneys in file organization, witness coordination and other related support work. As such, two paralegal positions are requested; one each for Anchorage and Fairbanks.	
Salary	61.9			
Benefits	26.0			
Premium Pay				
Other				
Total Personal Services	87.9			
Travel	0.0			
Contractual	0.0			
Commodities	1.0			
Equipment	2.0			
Other				
Total Cost	90.9			
FUNDING SOURCE FOR TOTAL COST				
Federal Receipts 1002				
G.F. Match 1003				
General Fund 1004	90.9			
I-A Receipts 1007				
CIP Receipts 1061				
Other				

**Request For
New Position**

AGENCY Department of Administration
 DEU Public Defender Agency
 COMPONENT Public Defender Agency

FY 95

Page 3 of 3
 Revised Date: _____

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSHB 61 (Fin) am

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act relating to the offenses of operating a BRU: Office of Public Advocacy
motor vehicle " Component: Office of Public Advocacy
 Sponsor: Rep. Nordlund
 Requestor: (S) Trsp COMPONENT SERIAL NO. 43

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
Total	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY94) cost: none

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: Brant McGee, Public Advocate Phone: 274-1684
 Division: Office of Public Advocacy Date: _____
 Approved by Commissioner: Nancy Bear Usura Date: 3/7/94
 Agency: Administration

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FISCAL NOTE

No. 12

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Bill Version: CSHB 61 (FIN)

(H) Publish Date: 2/15/94

Revision Date: December 10, 1993
Title: "...relating to the offense of operating a motor vehicle, aircraft, or watercraft while intoxicated..."
Sponsor: Representative Nordlund
Requestor: Governor's Office

Department Affected: Department of Law
BRU: Prosecution
Component: All

COMPONENT SERIAL NO. 0085 through 0090

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND &						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING:

1002 Federal						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

Estimate of current year (FY94) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)
Please see the attached analysis.

Prepared by: Richard I. Pegues, Director
Division: Administrative Services Division
Approved by Commissioner: Charles E. Cotz, Attorney General
Agency: Department of Law

Phone: 465-3672
Date: December 10, 1993
Date: December 10, 1993

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FISCAL NOTE

No. 10

Bill Version: CSHB 61 (FIN)

(H) Publish Date: 2/15/94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act relating to the offenses of operating a BRU: Office of Public Advocacy
motor vehicle Component: Office of Public Advocacy
 Sponsor: Rep. Nordlund
 Requestor: (H) Fin COMPONENT SERIAL NO. 43

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
Total	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY94) cost: none

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: Brant McGee, Public Advocate
 Division: Office of Public Advocacy
 Approved by Commissioner: Nancy Bear Usery
 Agency: Administration

Phone: 274-1684
 Date: _____
 Date: 2/7/94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 11
Bill Version: CSHB 61 (FIN)
(H) Publish Date: 2/15/94

Revision Date: _____ Dept. Affected: Public Safety
Title: An Act relating to the offense of operating BRU: Motor Vehicles
a motor vehicle...while intoxicated... Component: _____
Sponsor: Rep Nordlund
Requestor: H. FIN COMPONENT SERIAL NO. 500

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND SOURCE:	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 94) impact: \$ None

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.)

Fiscal impact is not anticipated.

Prepared By: Juanita Henslev Phone: 465-4361
Division: Motor Vehicles Date: 2/4/94
Approved by Commissioner: *Richard L. Burton* Date: 2/4/94
Agency: Richard L. Burton, Dept. of Public Safety

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

HB

98

FISCAL NOTE

Revision Date: Department Affected: DOT&PF
 Title: Black Vet's Recognition Bridge, Alaska Hwy BRU: Interior District M&O
 Sponsor: B. Davis Component: Highways & Aviation
 Requestor: B. Davis Component Serial Number: 584

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
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	0	0	0	0	0	0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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 FUNDING:	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 (FY93) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

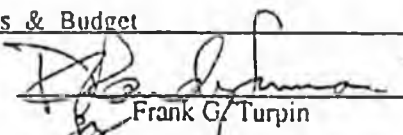
The direct costs of plaque preparation and installation will be absorbed by the Alaska Highway MP 1222 N / Celebration 92 balance.

Prepared by: Dawn Mach

Phone: 465-6987

Division: Plans, Programs & Budget

Date: February 2, 1993

Approved by Commissioner: 
Frank G. Turpin

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: February 2, 1993

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Official Business

Alaska State Legislature

House

REPRESENTATIVE BETTYE DAVIS

Pouch V
State Capitol
Juneau, Alaska 99811

SPONSOR STATEMENT

HB 98 - Naming the Black Veterans Recognition Bridge on the Alaska Highway over the Gerstle River.

1992 marked the 50th anniversary of the construction of the Great Alaska Highway, a 1,522 mile-long road from Dawson Creek, British Columbia to Fairbanks, Alaska. Heralded as a near impossible feat, the construction was completed in a record time of eight months and twelve days.

Of the 10,607 soldier who worked on the road, 3,695 were members of the Black Corps of Engineers, a fact not widely known or reported. These men, mostly from the South, toiled under great duress, ill-housing, sub-zero temperatures, insufficient clothing, monotonous food and 20 hour work days.

During the formal dedication of the road, Brig. General James O'Connor, head of the Northwest Service Command, stated:

"Some day, the accomplishments of these colored soldiers -- achievements accomplished far from their homes -- will occupy a major place in the lore of the North Country."

Instead, they were forgotten.

It was just last year that their contributions received state and national recognition. In January, thirteen veterans were reunited in a fun-filled event in Tallahassee, Florida, sponsored by the University of Alaska and Florida A&M University.

In July, Alaska hosted eight of the men during "Alaska Highway Rendezvous 92." In addition to the "Miles and Miles" pictorial at the Anchorage museum, the veterans were honored at parades, picnics, and a host of other events sponsored by local groups, the Great Alaska Highway Society and the Division of Tourism.

The Alaska Highway, rich in historic and scenic sites, is enjoyed by thousands every year. I hope you will join me in honoring the black soldiers who helped to make it possible.

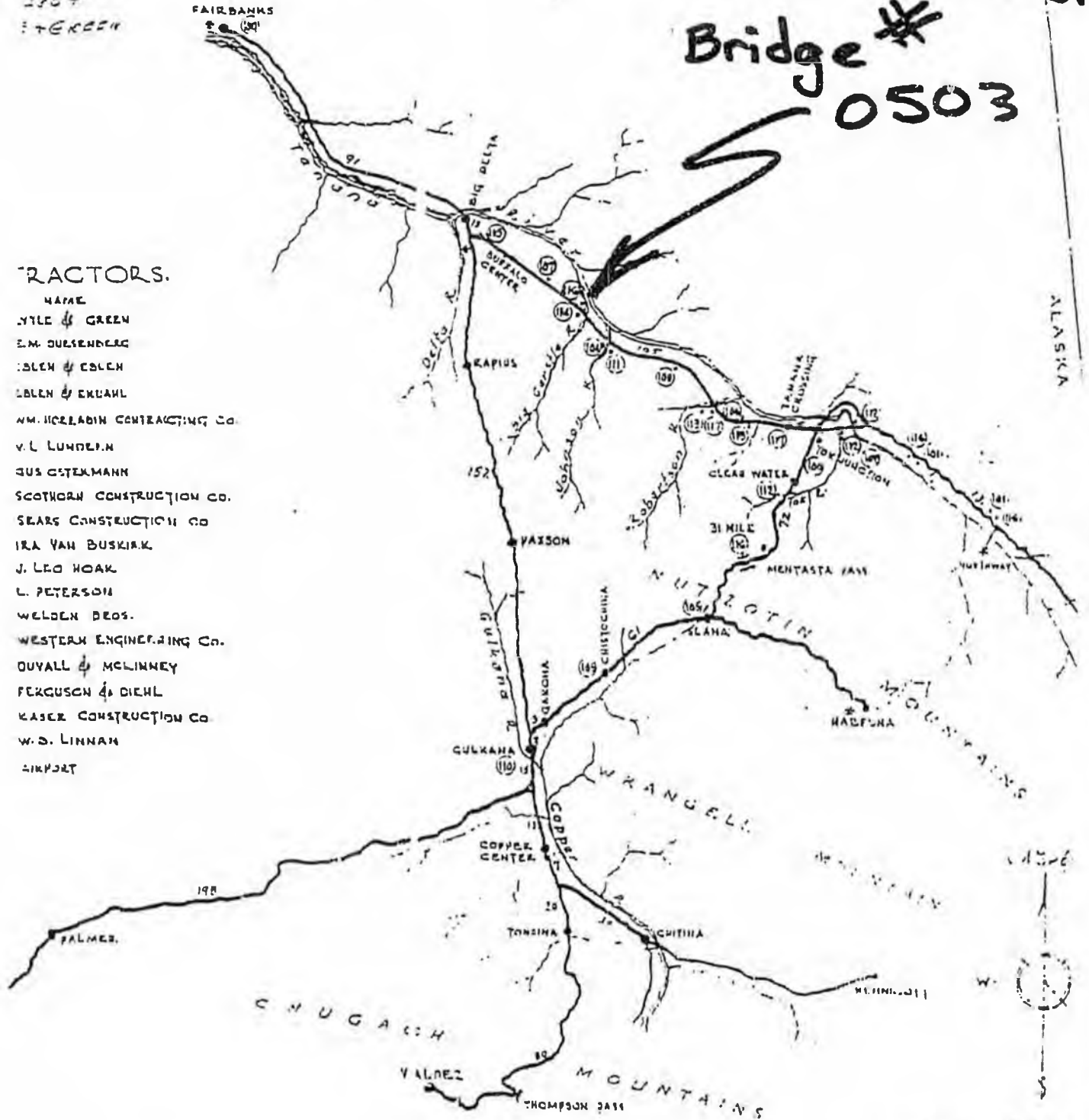
+

AFEL
 V. SF. APFS
 SWA
 2904
 EGREEN

Gerstle River
 Bridge #
 0503

FACTORS.

- NAME
- WYLE & GREEN
- E.M. BULSENBERG
- BLEEN & EBLEEN
- BLEEN & ERUHL
- W.M. HICELADIN CONTRACTING CO.
- V.L. LUNDEN
- BUS GSTEKMANH
- SCOTHORN CONSTRUCTION CO.
- SEARS CONSTRUCTION CO.
- IRA VAN BUSKIRK
- J. LEO HOAK
- L. PETERSON
- WELDEN DEOS.
- WESTERN ENGINEERING Co.
- DUVALL & MCLINNEY
- FERGUSON & DIEHL
- KASER CONSTRUCTION CO.
- W.D. LINNAN
- SIMPSET



1943 Map of Construction Camps

Miles and Miles

Honoring Black Veterans Who Built the Alcan Highway



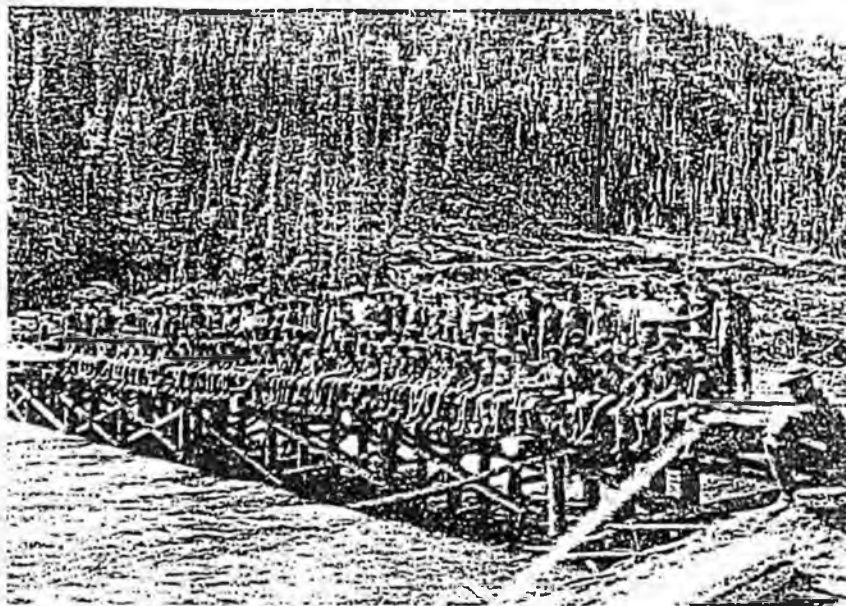
Presented by the
Department of
Journalism and Broadcasting
University of Alaska Fairbanks

at the

The University of Alaska Museum
February 1 — March 15, 1992

Men of the 95th, stationed at the wild Sikanni Chief River, bet their paychecks they could break all records bridging it and won in 84 hours—roughly half the time usually required for bridge construction. It is one of the few original bridges still standing.

Photo courtesy of
Edward G. Carroll



Deep in a stack of dusty 1943 war records is a wistful quote from a Negro soldier who had been asked what working on the Alcan highway was like.

"It's miles and miles of nothing but miles and miles!" he said.

The building of the Alcan (Alaska) Highway during World War II has been likened to the construction of the Panama Canal. Most experts predicted it couldn't be done. The route spanned some of the coldest, toughest, least explored, most dazzling country on the North American continent. Yet the U.S. Army Corps of Engineers pushed through a 1,500-mile pioneer road in just eight months and 12 days.

One third of the 10,607 men who built it were Blacks, originally deemed unfit for the task. Yet despite incredible odds in an harsh and alien land, they more than proved themselves.

Alaska Went to the 97th

The Alaska section of the road was built by the all-Black 97th Division of the Corps of Engineers over the protests of the U.S. Army commander for Alaska, Gen. Simon Bolivar Buckner Jr., son of a Confederate general who had surrendered to Grant.

"Certainly, the Army has a responsibility in not further complicating the population characteristics of the Territory by leaving a trail of new racial mixtures," he argued. And he was placated only by the

Cover: Mired! Engineers muster to help a trucker who failed to pass in a big way.

Photo by Father John Paul Tanguay, Yukon Territory

promise that Black troops would not be allowed near any settlements.

Buckner's objections were echoed by top brass in Washington who worried that Black soldiers would not have suitable intellectual capacity to handle bulldozers. Blacks who had little chance at education were delegated to stateside "housekeeping" assignments until a desperate shortage of manpower caused military planners to chance sending them north for the strategic Alcan mission.

It proved to be a good gamble but the coldest winter in recorded history was a setback. The majority of the men, like Fred Spencer of Snead, Florida, were from the deep south.

"We knew we were going to freeze to death so we took precautions," he recalls with a grin. "Those northern boys thought they could 'bulldoze' the weather so they froze their fingers and their toes and their ears."

A confidential report noted during a field inspection at -63 below the clothing of Delta's Black



This outdoor latrine may not look too plush but it was a luxury compared to early accommodations in the field. It wasn't too bad in summer but picture it in blowing snow at 63° below!

Photo Courtesy of
Howard Garbor

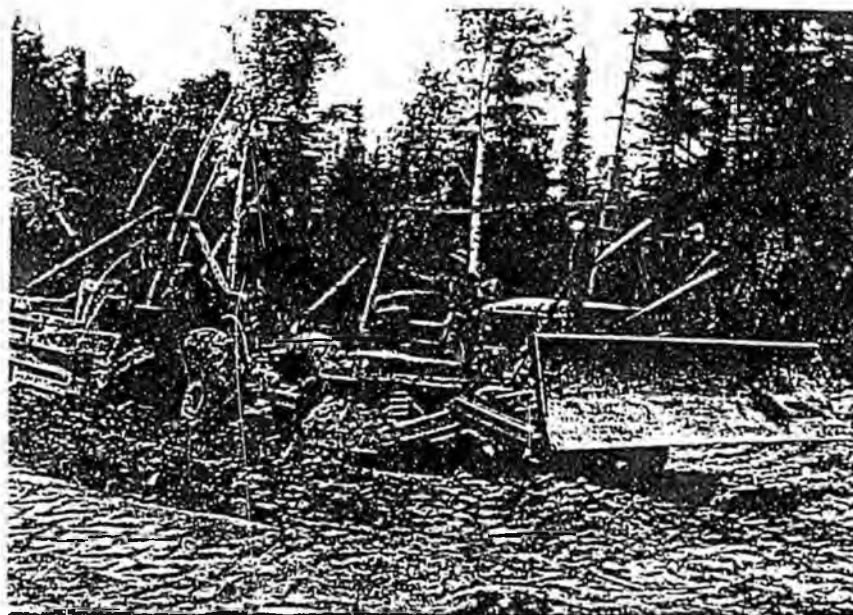


A Pontoon bridge spans the Stikin River at Milepost 119 on July 22, 1942. The Engineers built a total of 133 bridges and 8,000 culverts to complete the highway.

National Archives Photo

Early on, officials debated about whether or not Blacks could be trained to use heavy equipment. Here Corpsmen show the answer is "yes" with a Caterpillar Diesel D7 Tractor and LeTourneau Carryall scraper.

U.S. Army Photo
National Archives



regiment was found to be in "abominable condition."

"The pathetically ill-equipped 97th is doing little else but hibernating at present. It is of great importance, however, to point out that these men are not freezing in unusual numbers," the report concluded.

The warm accommodation of the newly built air base was off limits to Blacks. Most wintered in tents. But the men and their white commanding officers often made good use of off hours for training programs. And, given a break in the weather, these troops made up for lost time.

Walter E. Mason's "A" Company built 295 miles of road through stunted forest from Slana, across the Tanana River, and then south into Canada. And 85 miles of that was corduroy road—some of it five layers deep to counter the permafrost.

"We made about five miles a day; had to move camp every two or three days," the Virginia engineer recalls. "Ours was the first Cat (bulldozer) to cross the border and everybody climbed on. We were supposed to meet the (all white) 18th coming up from the south. When they didn't show up, we kept on going."

Like many other companies, Mason's men went

for long periods without leave, mail or fresh food, but there were few complaints.

"The morale was good as every man accepted the conditions and lived with them," agrees Howard Garber who headed Company "E" of Alaska's 97th Second Battalion. "Our men's work effectiveness was very good considering that during the summer they worked seven days per week and almost 24 hours a day."

The 95th, 94th, 93rd and 388th also Mustered

Other Black regiments—the 95th, 94th, 93rd and 388th—moving north from Dawson Creek also made good showings. The 95th, stationed at wild Sikanni Chief River, bet their paychecks they could break all records bridging it and won in 84 hours—roughly half the time usually required for bridge construction.

Many like Joseph Prejean of Lafayette, Louisiana, were highly motivated. Prejean made good money in the endless rounds of crap games that kept Alcan troops from boredom in off hours. Learning to read from a buddy who was going with a school teacher, he got through Army cooking school and went on to become a highly paid chef in civilian life.



An *ice bridge* fails big time near Ft. St. John. Engineers would replace it with a pontoon structure after spring breakup, but the in-between season was rough trucking.

Photo courtesy
Ft. St. John—North Peace
Museum Archives



U.S. Army commander for Alaska, Gen. Simon Bolivar Buckner Jr., son of a Confederate general who had surrendered to Grant, was not pleased to learn Black troops would be sent to Alaska. Because of his protests, Blacks were generally not allowed near towns or villages.

Painting by
Lt. William Cummings
Alaska 1944.

His parents had worked as tenant farmers for 21 years and Prejean recalls that their landlord tried to scare him out of enlisting, warning he'd be killed.

"I told him I just couldn't make it on \$1.50 a week," the tall well-spoken restaurateur recounts gleefully. "When I got home, I had all that money in the bank and he was dead."

When Herbert Tucker, Washington, D. C., narrowly missed passing an entrance exam for officer's training in the spring of 1942, he found himself crossing the Peace River on an ice bridge with the 95th and lasted until October when he recalls the mercury suddenly plunged to -50 below.

"If I have to pass that test to get out of here, that's what I'm going to do," he declared on the spot, and the next week he was on his way south to become a career officer.

Our Men Proved Themselves

The Alcan assignment offered unprecedented opportunity for many Blacks who, for the first time, received the same pay and benefits as white workers, notes the Rev. Edward G. Carroll, a graduate of Columbia University and Yale Divinity School, recently retired as bishop of the Methodist Church for New England.

"Yes, there were discrimination problems," he concedes. As one of few Blacks allowed officer status by virtue of his calling, he sometimes felt the brunt of it.

"They said we didn't have the mentality to deal with heavy equipment. The race you don't know is the race you suspect, but our men proved themselves."

During the formal dedication of the road, Brig. Gen. James A. O'Conner, head of the Northwest Service Command, singled out the Black troops for special recognition.

"Some day the accomplishment of these colored soldiers—achievements accomplished far from their homes—will occupy a major place in the lore of the North country," he promised.

Instead they were forgotten. When the Alcan was completed, the Black engineers were sent to

active duty in the South Pacific, Europe and Burma, reversing an earlier pronouncement that they would be unfit for battle. Many were decorated. Ultimately, after Blacks performed with valor and skill under fire, the military became the first agency in America to integrate. But the only tangible tribute to the Black builders of the Alcan is the remarkable road they left behind them...still in use and our sole land link to Alaska after 50 years.

Lael Morgan
Guest Curator



Corps of Engineers camp on the shore of Kluane Lake. This photo was taken in the early morning when trucks lined up to take troops to work. Note logs in foreground used to build "corduroy road" over permafrost.

National Archives Photo

Carolyn White
907 353-5414 hon.
306-764 duty

HB

117



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

TO: Representative Richard Foster, Chair
Transportation Committee

FROM: Representative Curt Menard

DATE: February 22, 1993

SUBJECT: Information on House Bill 117

House Bill 117, naming the Manvil Olson Bridge, is scheduled to be heard on Thursday February 25 in House Transportation.

Attached, please find:

1. Sponsor Statement
2. History of Mr. Olson
3. Petition by residents of the Schrock area.
4. Letter of request, written by Mr. Olson's son.
5. Newspaper article; Anchorage Daily News, July 16, 1992.

HB117 would have no fiscal impact on the state.

Co-sponsored by: Representative Pat Carney

HB117
Rep. Curt Menard
2/20/93

HOUSE BILL NO. 117
Representative Curt Menard

SPONSOR'S STATEMENT

I introduced HB117, naming bridge #1030, located at Schrock Rd. over the Little Su River, after Manvil Olson. Mr. Olson spent many years constructing bridges at this same area in order for people to gain access to the end of Schrock Rd.

When people in the Schrock area are giving others directions they always refer to this river crossing as, "the Manvil Olson bridge". Many of my constituents and others in the community have put together a petition requesting the bridge be named after Mr. Olson.

Enclosed is a brief history of Mr. Olson's accomplishments. After reading it, I'm sure you will agree with my constituents that it is only fitting that this new bridge be named after Manvil Olson. He has demonstrated and captures the true spirit of an Alaskan pioneer.

HISTORY

MANVIL H. OLSON

Manvil Olson was born January 19, 1908, in Bird Island, Minnesota. He was among the first civilian travelers on the Alcan Highway, moving to Alaska with his wife and daughter in 1947. The family first settled in Haines, where he operated a garage.

In 1949, the Olsons moved to Skagway, where he became a machinist on the White Pass and Yukon Railroad. The family moved to Anchorage in 1951, where Manvil became a machinist on the Alaska Railroad.

In 1953, he lived on a homestead near Wasilla, six miles off the end of the nearest road. He and his family developed the homestead over the next several years. He opened and operated a commercial dairy farm from 1959 until 1964. The farm still produces hay and beef. During the homesteading period, Mr. Olson also worked full time on the railroad and after leaving the railroad worked at the Fort Richardson Motor Pool. He continued to work on the homestead evenings and weekends. He also did custom machine and equipment work for his neighbors.

In 1978, he drew a tract of land in the Delta Barley Project. At the age of 70, he began developing the parcel with his sons, eventually clearing and planting 2,400 acres of land. The farm, known as Big G Ranch, which is now owned by the family is still in operation.

Mr. Olson was a strong advocate of agriculture development and its potential in Alaska. He founded one farm on the family homestead north of Wasilla, where he cleared the land. In order to develop the area and continue his operation, he built four vehicle bridges over the little Su River, using three different designs. At the time of his death he was involved in managing a purebred herd of Scottish Highland beef cattle in Wasilla.

Mr. Olson's drive for great projects did not end with statehood and he remained committed to agricultural development in Alaska all of his life.

Mr. Olson is survived by his wife of 48 years, Beulah Weedon Olson; his daughter, Karen Olson Lee of Anchorage; his sons, Harold and Arnold of Wasilla; and his four grandchildren.

11/13/92

Page 1

We the UnderSigned petitioners
of Schrock Road and Surround
Area Request the appropriate
naming of the New Bridge Be
The
Manvil Olson Bridge.

Betty Jean Bosch - 746-4007

Tim Reed - 373-5457

Ray Reed 373-5457

Dennis R. Caswell 376-2335

Greg Washburn 376 6431

E. A. W. M. Edward K. Wooley 373-7506

Theresa Burton 373-4506

Laketta Caswell 376-2335

Carl Witter 376-5623

Marcella Wilbur 376-5623

Ed E. Wooley 373-0527

Vally Wooley 373-0527

Wm. L. Pena 376-8635

Jerry Schaber 373 5794

Mrs. Schaber 832-7887

Cindy J. Schaber 373-5794

Jessie Zipp 373-2872

Bill Baldwin 376-2080

Glen Butts Mes. = 376-0549

Jeanne Rose 376 4676

Matthew M. Bush " "

FRANK BUSH 376 5772

J. Marguerite Calvin
Roxanne Willard 373-6918

Tom Sawley 376-2647

Richard Bank
" " " " 376-2647

Angela Busn

U/A

Kenneth Jenks

Nancy (Heller)
Randy (Rindall)

Debra Snelling

Barbara Crabbe

Joel Smith

Shelia D. Smith

Rogannat Smith

Shelia D. Hess

James S. Helminich

Jesslyn Helminich

Bob Kumer

Marv Greud

Edof Gray

373-2991

Jim Gray

W. Fitzgerald

376-5837

William Smith

Joyce Sitzgibben

Jammy L. Brown

746-4007

Timothy S. Thompson

" "

Arnold Olson

373-1794

Stanley Olson

373-11

Jason G. Brown

Dana L. Richards

Harold J. Olson

373-1092

Onaive Reich (Kusan)

John

OLSEN

Beverly W. Olson

376-5771

Craig Torney

376-1004

Dary Adreotis

786-2774

Jessie Spray	746-1090
Jim Spray	" " " "
Boey Weers	376-1004
Andy Hunter	376-7608
Ernie	376-9898
Ann Jobe	376-6979
Carolyn Bush	376-5722
Randa Sawley	376-2647
Callie Willard	376-2647
Fritz Stalter	376-5666
Ray Mier	376-7510
John A. Anton	376-5527
Maurice Anton	376-5527
Harry	376-5527
Christian D. Warrin	373-0597
Michael J. Willkit	373-1795
Timothy W. Willkit	373-1795

Bridge No. 1030

Location: on the little Susitna River
off the end of the Schrock Rd.

I am requesting that the above bridge
be dedicated in memory of my father
Manvil N. Olson, recently deceased July 13, 1992.

He has a long history in this area, one that
predates statehood. He homesteaded north of
the little Su 1/4 mile north off the end of the
Schrock Rd in 1953.

EGAL
@18
8021W

Our original access to the homestead
was where the present day North Shushana Road is.

He built a bridge there in 1954, actually just
down stream, where the current Shushana bridge
is, was our ford.

In 1955 the Federal Road Commission
extended the Schrock Rd. Three miles ~~down stream~~
west, to where it ends to this day.

He worked on that road extension operating a
dozer.

That same year he built a bridge over the
little Su and a new road to the homestead
from the end of Schrock Rd.

During the time from 1954 - 1958 he cleared
land on the homestead and land for many other
homesteaders within the area, a lot of this was
later rented and used for the dairy that was
started in 1957. For the first year of the
dairy operation milk was hauled in ten gallon
cans to a dairy owned and operated by Pat Barney,
another individual who embraced the true definition of the

Bridge No. 1030

Location: on the little Susitna River
at the end of the Schrock Rd.

I am requesting that the above bridge
be dedicated in memory of my father
Maurice Olson, recently deceased July 13, 1992.

He has a long history in this area, one that
predates statehood. He homesteaded north of
the little Su 1/4 mile north of the end of the
Schrock Rd in 1953.

CEGAL
@ 18
18221W

Our original access to the homestead
was where the present day North Shushana Road is.

He built a bridge there in 1954, actually just
down stream, where the current Shushana bridge
is, was our ford.

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land on the homestead and land for many other
homesteaders within the area, a lot of this was
later rented and used for the dairy that was
started in 1957. For the first year of the
dairy operation milk was hauled in ten gallon
cans to a dairy owned and operated by Pat (Kenny)
another individual who embraced the true definition of the

MANVIL H. OLSON

Wasilla resident Manvil Harold Olson, 84, died July 13 at his Little Susitna River home.

A funeral will be held at 2 p.m. Friday at First Presbyterian Church of Wasilla, 1375 E. Bogard Road.



Mr. Olson was born Jan. 19, 1908, in Bird Island, Minn. He spent the first 18 years of his life on a farm in the Mille Lacs area of Minnesota. He left the farm after high school and moved to Chicago where he became a machinist and tool and dye maker. He was a member of the Machinists Union International.

Mr. Olson enlisted in the Navy during World War II, serving on a destroyer in the Pacific and Atlantic theaters. He married Beulah Weedon Nov. 13, 1944, in Virginia. He was among the first civilian travelers on the Alcan Highway, moving to Alaska with his wife and daughter in 1947. The family first settled in Haines, where he operated a garage.

In 1949, the Olsons moved to Skagway, where he became a machinist on the White Pass and Yukon Railroad. The family moved to Anchorage in 1951. Mr. Olson became a machinist on the Alaska Railroad.

In 1953, he lived on a homestead near Wasilla, six miles off the end of the nearest road. He and his family developed the homestead over the next several years. A commercial dairy farm was opened in 1959 and operated until 1964. The farm still produces hay and beef.

During the homesteading period, Mr. Olson also worked on the railroad and at the Fort Richardson Motor Pool. He did custom machine and equipment work for his neighbors.

In 1978, he drew a tract of land in the Delta Barley Project. At the age of 70, he began developing the parcel with his sons, eventually

earing and planting 2,400 acres of land. The farm, known as Big G Ranch, was successfully completed and still in operation.

According to his family, Mr. Olson was a strong advocate of agriculture development and its potential in Alaska. He founded one

farm on the family homestead north of Wasilla and another at Delta. At the time of his death, he was involved in managing a purebred herd of Scottish Highland beef cattle in Wasilla.

Mr. Olson is survived by his wife of 48 years, Beulah

Weedon Olson of the family farm; his daughter, Karen Olson Lee of Anchorage; his sons, Harold and Arnold of Wasilla; his grandchildren, Leighton and Conan Lee of Palmer and Anchorage, and John Olsen and Stanley Olson, both of Wasilla; his niece, Louise Augustsson of

Anchorage; his nephew, Wayne Lofgren of Anchorage; his brother, Otto of Missouri; and his sisters, Vicki MacClean and Florence Haglund, both of Minnesota, and Lorraine Veith of Dallas.

Arrangements were by Kehl's Palmer Mortuary.

FISCAL NOTE

Revision Date:
Title: Name Mavil H. Olson Bridge
(Schrock Road)

Department Affected: DOT&PF
BRU: Central M&O

Sponsor: Menard, Carney
Requestor:

Component: Central M&O
Component Serial Number: 567

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
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	0	0	0	0	0	0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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 FUNDING:	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 (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

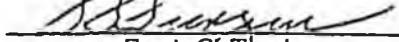
The Little Su Bridge (#1030) on Schrock Road will be under construction during the Summer of 1993. Signs can be included with the project.

Prepared by: Margaret Holland

Phone: 266-1440

Division: Central Region, Regional Director's Office

Date: February 8, 1993

Approved by Commissioner: 
Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: February 8, 1993

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HB

183



*Department of Transportation
and Public Facilities*

POSITION PAPER

BILL NO: HB 183

APPROVED:

A handwritten signature in cursive script, likely of a department official, written over a horizontal line.

TITLE: Transportation Corridor:
Fairbanks - Nome

DATE: March 3, 1993

DOT&PF is available to perform this work if authorized and funded. The information gained would be valuable in terms of identifying a future corridor and in protecting it during subsequent land management/land use planning exercises. The information would also be useful to future transportation planning and development exercises.

Development of access within the resulting corridor would support expansion of the state's resource-based industries. It would also serve surface transportation between Europe/Asia and North America.

The department is opposed to Section 1(E)(2).



*Department of Transportation
and Public Facilities*

POSITION PAPER

BILL NO: HB 182

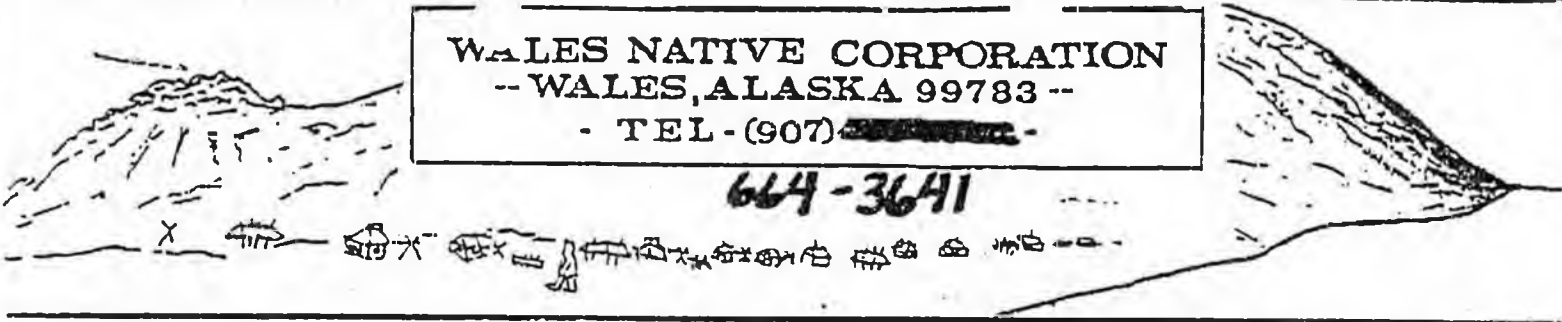
APPROVED:

A handwritten signature in cursive script, likely of a department official.

TITLE: Approp: Fairbanks-Nome
Transportation Corridor

DATE: March 3, 1993

DOT&PF supports the proposed reconnaissance work in that the information gained from it would be valuable in related land management decisions (i.e., it could help prevent land management decisions from foreclosing on transportation options). The information gained could also be incorporated into long-term transportation planning for interior and Western Alaska.



WALES NATIVE CORPORATION
-- WALES, ALASKA 99783 --
- TEL - (907) ~~251-3641~~ -

664-3641

September 15, 1992

Mr. Jim Stimpfle
Nome Chamber of Commerce
Committee for Cooperation,
Commerce and Peace
P.O. Box 251
Nome, Alaska 99762

Dear Mr. Stimpfle:

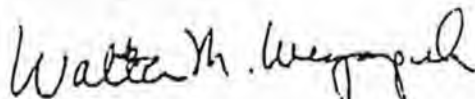
Speaking for the Board of Directors of the Wales Native Corporation, I believe our consensus would be to participate in the Bering Strait Tunnel and Rail Project. At the same time we, as the Board of Directors, cannot endorse nor give permission until the shareholders of our Corporation gives us its support and endorsement to begin the "scoping studies".

A potential project of this magnitude would require full support and permission from shareholders (who have voted us in as Board of Directors). Our plans will be to publicize and inform shareholders concerning the tunnel via our quarterly newsletter, which is published every three months. Then at our Annual Meeting of shareholders during the month of April 1993, it will be put into a question ballot to be voted on as stated in our by-laws.

In the meantime, please consider us as informed participants by keeping us informed. We would greatly appreciate copies of correspondence, etc. If and after the Annual Meeting the shareholders approve the question ballot, then that would be a green light and a letter of support would then be initiated.

Thank you and George Kounal for taking the time to present the Tunnel Project to the Wales Native Corporation and all your support.

Sincerely,



Walter M. Weyapuk,
President

Wales Native Corporation

STATE OF ALASKA

443-2002
WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CHIEF OF PLANNING AND ADMINISTRATIVE SERVICES

2301 PEGER ROAD
FAIRBANKS, ALASKA 99709-5316
PHONE: (907) 451-5150

December 23, 1992

Re: Fairbanks-Seward Peninsula
Railroad Extension

Red Swanson
113 W. 5th Street
Juneau, AK 99801

Dear Mr. Swanson:

The following information is in response to your December 23, 1992 inquiry regarding the estimated cost for reconnaissance work to identify an alignment for railroad extension to the Seward Peninsula. We did a similar estimate in 1980 based on what it had cost us for comparable work between Eielson Air Force Base and the Canadian Border. The following figures reflect that estimate, updated to take into account inflation, technological advances, a substantial increase in length, and the relatively remote nature of new corridor. The estimate is based on a distance of 875 miles from Fairbanks to Lost River through Tanana, Allakaket and Bomite. While that may, or may not, be the ultimate alignment, it appears to be representative of the relative length of any possible alignment from Fairbanks to the Western Seward Peninsula.

Cost Breakdown

Reconnaissance Photography	\$75,000
-topo map work to identify alignment(s)	
-color photography of an entire route including alternate routes over 50% of its length	
Reconnaissance Study	\$90,000
-photo interpretation	
-some fieldwork	
-selecting a route for mapping	
-compile preliminary report	
Reconnaissance Subtotal	<u>\$165,000</u>

(This is as far as we could go without performing on-the-ground work. It would be adequate for identifying a corridor. It would not be adequate for identifying right of way limits. The following steps would be required for defining the necessary right of way. The estimated costs do not include environmental work that could be required for ground work, especially on park and refuge lands.)

Red Swanson

- 2 -

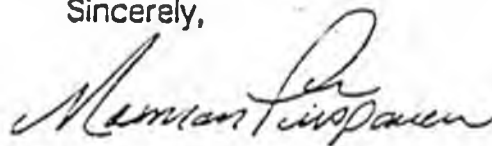
December 23, 1992

Placing photo control panels on ground (assumes all work done with helicopters).	\$920,000
Aerial photography for mapping.	\$25,000
Control survey for mapping (assumes consultant contract).	\$5,000,000
Selecting center line for mapping -a study of the mapping photos -some field work	\$100,000
Mapping a 500 foot band for 875 miles.	\$240,000
Placing a final center line on mapping	\$160,000
Defining the right of way along the selected center line. -ties to section corners and property corners -property descriptions, etc.	\$50,000
Right of Way Mapping Subtotal	<u>\$7,135,000</u>
Total Cost of Reconnaissance/Location Project (not including Environmental document).	<u>\$7,300,000</u>

As you see, the cost of work that could be done to identify a corridor, without getting on the ground, is relatively small (\$165,000). On the other hand, delineation of right of way limits would cost substantially more and would involve actual ground work.

Please contact me if you have questions regarding either the cost estimate or the reconnaissance/location process.

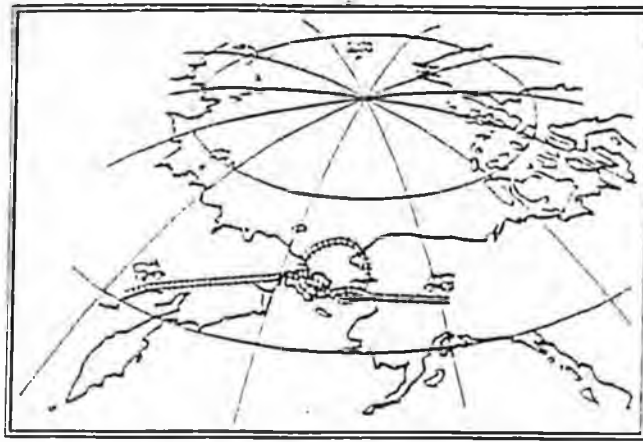
Sincerely,



Norm Piispanen
Access Planner
Northern Region

Россия. 113035 Москва
Б. Ордынка 13 / 9-42
Телефон: (095) 231-36-45
Факс: (095) 233-40-34

B. Ordinka 13 / 9-42.
Moscow 113035, Russia
Tel: (095) 231-36-45
Fax: (095) 233-40-34



315 Connecticut Ave., N.W.
Suite 300
Washington, D.C. 20006 U.S.A.
Tel: (202) 463-3400
Fax: (202) 333-8082

315 Коннектикут Авеню
Северо-Запад, комн. 300
Вашингтон, окр. Колумбия
20006, США
Телефон: (202) 463-3400
Факс: (202) 333-8082

INTERHEMISPHERIC BERING STRAIT TUNNEL & RAILROAD GROUP

ТРАНСКОНТИНЕНТАЛЬНАЯ МЕЖКОНТИНЕНТАЛЬНАЯ ЖЕЛЕЗНАЯ ДОРОГА И ТОННЕЛЬ ЧЕРЕЗ БЕРИНГОВ ПРОЛИВ

March 2, 1993

GK/93093

The Honorable Jeannette James
State Capital
Juneau Ak 99801-1182

Dear Representative James:

On behalf of the Interhemispheric Bering Strait Tunnel and Railway Group, I would like to express deep felt thanks for your work on the Bills to expand Alaska's railroad infrastructure and end the transport isolation of the State.

The state of Alaska is truly a "jewel in the crown"; a fact many people in Washington and elsewhere do not realize and appreciate. Construction of a modern railroad through the State to connect with the Asian and European railroad network via the Bering Strait (the project our Consortium has been working on for the last 7 years) would establish the state of Alaska as the hub of world transport and commerce. The Bills you have sponsored are essential steps needed to bring this timely Project closer to reality.

Sincerely yours,

George Koumal
Chairman, IBSTRG

copy: Mr. Red Swanson
IBSTRG Nome/Moscow/Washington
Mr. J. Henri

NOME CHAMBER OF COMMERCE

P.O. Box 25, Nome, Alaska 99762
Committee for Cooperation, Commerce
and Peace (907) 443-2002

Rep. Richard Foster
Transportation Chairman

March 29, 1993

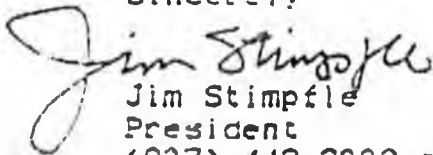
RE: House Bill #182 and #183

The Nome Chamber of Commerce, Board of Directors endorsed the general idea of a transportation and utility corridor to the Seward Peninsula at its last Board meeting in March.

Future economic development depends greatly on the development of land resources on the Seward Peninsula. A railroad and utility corridor would greatly enhance the development of minerals and use of coal and natural gas resources to generate electrical power for sale or use on the Seward Peninsula.

A land-based transportation system could create meaningful employment opportunities for residents on the Seward Peninsula in the area of mining, tourism, and service related industries.

Sincerely



Jim Stimpfle
President

(907) 443-2002 tel. and FAX



BERING STRAITS NATIVE CORPORATION

March 30, 1993

The Honorable Richard Foster
Alaska State Representative
State Capitol
Juneau, AK 99811

Dear Representative Foster,

The Bering Straits Native Corporation (BSNC) has received a copy of House Bill number 182 and 183 concerning the funding and identification and delineation of a transportation and utility corridor between Fairbanks and the Seward Peninsula.

BSNC favors the allocation of funding for this project. However, HB 183 would as currently worded allow the State Department of Transportation and Public Facilities authority to acquire rights of way across land within the "corridor". BSNC advocates a lease agreement rather than condemnation.

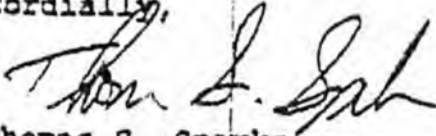
While BSNC favors the above noted bills, action would be needed by our Board of Directors on BSNC's stance of the actual building of a corridor between Fairbanks and the Seward Peninsula.

While much benefit may be derived from such a corridor, there are many questions as to its potential impact of the subsistence cash economy which currently exists in BSNC's villages. BSNC does not advocate any project that will negatively impact the subsistence economy of our villages.

BSNC believes that the State must devote funds to study and delineate a corridor and identify the known and potential mineral occurrences along such a route. If and when such a project is financially feasible and supported by the people of the BSNC region, the majority of the initial preliminary work would be completed by passage of the above noted bills.

At the appropriate time, please contact BSNC for action by its Board of Directors for a policy statement on the actual development of a transportation corridor between Fairbanks and the Seward Peninsula.

Cordially,



Thomas S. Sparks
Resource Development Specialist

cc: BSNC Village Corporations
Mr. Jack Carpenter, President
Mr. Guy Martin, Land Manager

ALASKA MINEPS ASSOCIATION, INC.
NOME BRANCH
P.O. BOX 1774
NOME, ALASKA 99762

April 1, 1993

Representative Richard Foster, Chair
Transportation Committee
Room 611, Court
State Capitol
Juneau, Alaska 99801-1182

Dear Representative Foster,

We have reviewed House Bill No.s 182 and 193 in reference to studies for transportation systems from Fairbanks to the Seward Peninsula. We support the idea behind these bills, and would like to provide input to the DOTPF before the preliminary report is finalized.

We feel that access is necessary for resource development on lands within the state and the Seward Peninsula has much to offer. We would also like the State to assert the valid AS 2477's within the Seward Peninsula which could be affected by this transportation study. We believe that the Bering Land Bridge Preserve may cause access problems.

If you have any comments, please call me at 443-2632.

Thanks kindly.

Sincerely,



Irene Anderson
Chair

cc: Senator Al Adams



Official Business

Alaska State Legislature

State Capitol
Juneau, AK 99801-1182

MEMORANDUM

TO: Representative Ramona L. Barnes
Speaker of the House

FROM: Douglas A. Wooliver
Staff Attorney

SUBJECT: Sectional Analysis of CSHB 183(FIN)

DATE: March 16, 1994

The following is a sectional analysis of CSHB 183(FIN); "An Act directing the identification and delineation of a transportation and utility corridor between Fairbanks and the Seward Peninsula; and providing for an effective date."

Section 1 adds a new section to AS 19.25. Title 19 deals with "Highways and Ferries" and chapter 25 deals specifically with "Protection and Use of State Highways and Roads." The new section (section 123) is entitled "Fairbanks - Seward Peninsula transportation and utility corridor."

Section 123 directs the Department of Transportation to identify (subject to legislative appropriation) a proposed 500 foot wide transportation and utility corridor between Fairbanks and the western end of the Seward Peninsula. This section also lists the factors to be taken into consideration during the identification process.

Section 123 gives the commissioner 90 days to either accept, reject or modify the proposal that results from the corridor identification efforts. If the commissioner accepts or modifies the proposal, this section directs that action be undertaken to acquire rights-of-way from all affected land owners and to classify or reclassify any state

lands affected to allow for such a right-of-way. Any classification or reclassification of state land necessary under this section would not be subject to the requirements of the Alaska Land Act.

Section 2 repeals the provisions established under section 1 of this Act on July 1, 2055.

Section 3 provides for an immediate effective date.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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

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

MEMORANDUM

April 6, 1994

SUBJECT: Condemnation of Native land (Work Order No. 8-LS0296D)

TO: Senator Bert Sharp
ATTN: Ruth Skidmore

FROM: Jack Chenoweth
Legislative Counsel

Your inquiry arises in the context of proposed AS 19.25.123(d)(2)(A), part of CSHB 183 (Fin) am, and goes to the question of the exercise of the power to condemn certain land and to take title for a public purpose.

I don't see that federal or state law would prevent condemnation of land owned by an Alaska Native or by an Alaska Native corporation.

Under 43 U.S.C. 1636(e), a provision of the Alaska Native Claims Settlement Act,

Condemnation. All land subject to an agreement made pursuant to subsection (a) [43 U.S.C. 1636(a), establishing an Alaska Land Bank] and all land, and interests in land, conveyed or subsequently reconveyed pursuant to the Alaska Native Claims Settlement Act to a Native individual, Native Corporation, or Settlement Trust shall be subject to condemnation for public purposes in accordance with the provisions of this Act and other applicable law.

(Emphasis added).

AS 09.55.260 identifies private property subject to being taken by condemnation or eminent domain. Native-owned land, whether held by individuals or corporations, are not excluded from that general list.

The degree of protection provided by proposed AS 19.25.123(d)(2)(A) is questionable: What is "subject to legislative appropriation" intended to mean in the context in which it appears? Does it mean that the Department of Transportation and Public

Senator Bert Sharp
April 6, 1994
Page 2

Facilities must first obtain a specific monetary appropriation in order to take title to a parcel under eminent domain? Is a general appropriation of money to the department for land acquisition sufficient? Must the appropriation precede initiation of eminent domain proceedings, or may it follow?

JBC:pl
94-284.plm

Alaska State Legislature

SENATOR
BERT SHARP
CHAIRMAN



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 Transportation Committee

MEMORANDUM

DATE: April 11, 1994

TO: Senate Transportation Committee Members

FROM: Senator Bert Sharp *BMS*

RE: Senate CS for CS for HB 183(TRA) Work Draft

The CS work draft makes the following changes to CS for HB 183(FIN)am:

1. In section 1, (b)(1) has been amended to instruct DOT to identify and delineate "adjacent sites which can be developed for necessary construction materials,"...
2. In section 1, (d)(1) has been amended to instruct DNR to classify and reserve "adjacent sites that can be developed for necessary construction material,"...
3. In section 1, (b)(2) has been amended to instruct DOT to consider "(H) the location of, and the opportunity to obtain access to, identified natural resources that could contribute significantly to the state's economic development."
4. In section 1, (b)(2)(E) has been amended by deletion of the word "significant".

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES
P O Box 56622
North Pole, Alaska 99705
(907) 488-0862

House District 34



While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3745

House Of Representatives

Sponsor Statement HB 182 & HB 183

By Rep. Jeannette James
Revised: 3/30/93

HB 182 and HB 183 are intended to initiate preliminary and ultimately result in final action necessary to properly review, identify and survey the best options for the establishment of a transportation/utility corridor from the Interior's existing transportation distribution hub to the western area of the Seward Peninsula near Nome.

The future of Alaskans residing north of the Alaska Range will require expansion of our existing transportation infrastructure. With the recent completion by the State of Alaska of its remaining land selection allotment, the major land ownership patterns are now discernable.

This legislation will direct the Dept. of Transportation to perform aerial reconnaissance, photography, interpretation and surveying. The DOT in the attached position paper supports this work. This work will identify areas with transportation corridors to be established and which offer the best cost effective options to access this vast resource rich area of our state.

The appropriation for this project is included in HB 182 and will authorize the expenditure of the funds necessary to secure this very important multi-modal land use transportation corridor as a step that will move us forward to a more positive economic future for a very large portion of Alaska.

8-LS0296M
Chenoweth
4/8/94

SENATE CS FOR CS FOR HOUSE BILL NO. 183(TRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES JAMES, Mulder

A BILL

FOR AN ACT ENTITLED

1 "An Act directing the identification and delineation of a transportation and utility
2 corridor between Fairbanks and the Seward Peninsula; and providing for an
3 effective date."

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

5 * Section 1. AS 19.25 is amended by adding a new section to read:

6 Sec. 19.25.123. FAIRBANKS - SEWARD PENINSULA TRANSPORTATION
7 AND UTILITY CORRIDOR. (a) Subject to legislative appropriation, the department
8 shall identify and delineate a proposed transportation and utility corridor between
9 Fairbanks and the western end of the Seward Peninsula.

10 (b) In performing the work required by (a) of this section,

11 (1) the railroad alignment and identification of a railroad right-of-way
12 of not less than 500 feet, together with adjacent sites that can be developed for
13 necessary construction materials, shall guide the identification and delineation of the
14 corridor, and

- 1 (2) the department shall consider the following factors:
- 2 (A) grade and alignment standards that are commensurate with
- 3 rail and road construction standards;
- 4 (B) availability of construction materials;
- 5 (C) safety;
- 6 (D) impacts on and service to adjacent communities;
- 7 (E) environmental concerns;
- 8 (F) use of public land to the maximum degree possible;
- 9 (G) minimization of probable construction costs; and
- 10 (H) the location of, and the opportunity to obtain access to,
- 11 ① prior and established federal land identified natural resources that could contribute significantly to the state's
- 12 economic development.
- 13 (c) Within 90 days after receiving a report transmitting the work of the
- 14 department under (a) of this section, the commissioner shall, in conformity with
- 15 AS 44.62 (Administrative Procedure Act), if necessary, adopt a regulation approving,
- 16 modifying, or rejecting the proposed corridor.
- 17 (d) If the commissioner approves or modifies the proposed corridor when
- 18 presented under (c) of this section,
- 19 (1) the Department of Natural Resources shall promptly classify, or
- 20 reclassify, and reserve any state land within the corridor and at adjacent sites that can
- 21 be developed for necessary construction materials for use as a corridor; and
- 22 (2) the department shall
- 23 (A) subject to legislative appropriation, exercise its authority
- 24 under AS 19.05.040 to acquire rights-of-way across land within the corridor
- 25 that is subject to the state's power of condemnation; and
- 26 (B) work with federal officials to secure reclassification and
- 27 withdrawal of federal land in the corridor for reservations and rights-of-way
- 28 across the federal land for use as a corridor.
- 29 (e) The requirements of AS 38.05 (Alaska Land Act) relating to classification
- 30 and reclassification of land are inapplicable to actions taken under this section.
- 31 (f) To complete the work required by this section, the commissioner may

1 accept any legal gifts and grants and may enter into contracts or other transactions or
2 agreements relating to it with the federal government, an agency or instrumentality of
3 the state, a municipality, or a private organization.

4 (g) In this section, "corridor" means the transportation and utility corridor
5 required to be identified and delineated by (a) of this section.

6 * Sec. 2. AS 19.25.123, added by sec. 1 of this Act, is repealed July 1, 2055.

7 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

CS FOR HOUSE BILL NO. 183(FIN) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 3/21/94

Offered: 3/16/94

Sponsor(s): REPRESENTATIVES JAMES, Mulder

A BILL

FOR AN ACT ENTITLED

1 "An Act directing the identification and delineation of a transportation and utility
2 corridor between Fairbanks and the Seward Peninsula; and providing for an
3 effective date."

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

5 * Section 1. AS 19.25 is amended by adding a new section to read:

6 Sec. 19.25.123. FAIRBANKS - SEWARD PENINSULA TRANSPORTATION
7 AND UTILITY CORRIDOR. (a) Subject to legislative appropriation, the department
8 shall identify and delineate a proposed transportation and utility corridor between
9 Fairbanks and the western end of the Seward Peninsula.

10 (b) In performing the work required by (a) of this section,

11 (1) the railroad alignment and identification of a railroad right-of-way
12 of not less than 500 feet shall guide the identification and delineation of the corridor,
13 and

14 (2) the department shall consider the following factors:

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(A) grade and alignment standards that are commensurate with rail and road construction standards;

(B) availability of construction materials;

(C) safety;

(D) impacts on and service to adjacent communities;

(E) significant environmental concerns;

(F) use of public land to the maximum degree possible; and

(G) minimization of probable construction costs.

(c) Within 90 days after receiving a report transmitting the work of the department under (a) of this section, the commissioner shall, in conformity with AS 44.62 (Administrative Procedure Act), if necessary, adopt a regulation approving, modifying, or rejecting the proposed corridor.

(d) If the commissioner approves or modifies the proposed corridor when presented under (c) of this section,

(1) the Department of Natural Resources shall promptly classify, or reclassify, and reserve any state land within the corridor for use as a corridor; and

(2) the department shall

(A) subject to legislative appropriation, exercise its authority under AS 19.05.040 to acquire rights-of-way across land within the corridor that is subject to the state's power of condemnation; and

ominate *dosm...*

(B) work with federal officials to secure reclassification and withdrawal of federal land in the corridor for reservations and rights-of-way across the federal land for use as a corridor.

(e) The requirements of AS 38.05 (Alaska Land Act) relating to classification and reclassification of land are inapplicable to actions taken under this section.

(f) To complete the work required by this section, the commissioner may accept any legal gifts and grants and may enter into contracts or other transactions or agreements relating to it with the federal government, an agency or instrumentality of the state, a municipality, or a private organization.

(g) In this section, "corridor" means the transportation and utility corridor required to be identified and delineated by (a) of this section.

- 1 * Sec. 2. AS 19.25.123, added by sec. 1 of this Act, is repealed July 1, 2055.
- 2 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

SENATE COMMITTEE REPORT

DATE: 4/5/94

FURTHER: Finance

DATE TURNED INTO OFFICE: _____

Transportation Committee considered CS FOR HOUSE BILL NO. 183(FIN) am

"An Act directing the identification and delineation of a transportation and utility corridor between Fairbanks and the Seward Peninsula; and providing for an effective date."

and recommends:

replace with _____ CS CS HB 183 (TRA)
or adopt previous _____ CS _____
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
DOT - PF	3/15/94	X	

Appropriation No Fiscal Note

DO PASS:

Roll E. Bell Do Pass

OTHER RECOMMENDATIONS:

Tom Kelly - No Rec
Do not Pass

Bob Sharp Do Pass
Chair: Signature and Recommendation

TANANA CHIEFS CONFERENCE, INC.
Board of Directors
Resolution No. 94-25

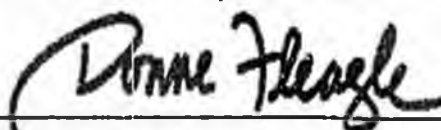
FAIRBANKS TO NOME FEASIBILITY STUDY
FOR ROADS-UTILITY CORRIDOR

- WHEREAS, the Alaska State Legislature is currently proposing a bill to do a feasibility study on extending a ^{road} utility corridor from Fairbanks to Nome; and
- WHEREAS, road access very significantly impacts wildlife resources; and
- WHEREAS, road access has serious impact on sociological & cultural aspects of Native communities; and
- WHEREAS, the State of Alaska currently lacks funding to maintain current Interior roads; and
- WHEREAS, the residents have not had the opportunity to voice their opinion; and

NOW THEREFORE BE IT RESOLVED that the Full Board of Directors of Tanana Chiefs Conference, Inc. directs TCC staff to oppose the funding for the Fairbanks to Nome road feasibility study or any such road projects.

CERTIFICATION

I hereby certify this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 17, 1994 at Fairbanks, Alaska and a quorum was duly established.



Donne Fleagle
Secretary/Treasurer

Submitted by: Fairbanks Subregion



FISCAL NOTE

REQUEST:

Revision Date: Dept. Affected DOT&PF
Title: Transportation Corridor: Fairbanks Nome BRU: Planning
Sponsor: James Components: #542
Requestor: House Finance Committee

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

ESTIMATE OF ANY CURRENT YEAR (FY M) COST \$

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: Rep. Ron Larson, Co-Chair *R.L.* 465-3878
Rep. Eileen MacLean, Co-Chair *EPM* Phone: 465-4833
Division: House Finance Committee Date: 3/15/94
Approved By:
Agency:

HB

301

DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

ENGINEERING & OPERATIONS STANDARDS

3132 CHANNEL DRIVE
UNEAU, ALASKA 99501-7538
PHONE: (907) 465-2951
TEXT TELEPHONE: (907) 465-3652
FAX: (907) 465-2460

August 3, 1993

Representative Mark Hanley
716 West 4th Avenue
Anchorage, Alaska 99501

Subject: Studded Tires
& Stud Types

Attn: Kip Knutson

File: 2552

AUG 09 1993

Dear Mr. Knutson:

I am responding to your call and our discussion on July 21st regarding the advisability of requiring a tire stud type with a hardness of 6.5 on the Moh hardness scale. You should be aware that the Moh scale is intended only for scratch hardnesses of crystals of minerals and not for metals. As such, it was constructed by determining what mineral would scratch other minerals. I understand that typical steels range from about 5.5 to 6.5. However, tire studs require a carbide center pin which is probably around 7 or 8 on the Moh scale. Studs of only steel would wear quickly and not work as ice gripping studs at all; I doubt that any such are even manufactured. The alternative I suggest for reducing pavement wear is the use of lightweight studs, as are now being required in Northern Europe. Mr. Bo Simonson of Sweden's Road and Traffic Research Institute advised that use of aluminum or plastic bodied studs will be expected to cut pavement wear rates in half. Samples of lightweight European type studs are enclosed, along with typical steel studs from a local tire shop. Legislation requiring such lightweight studs would require that the maximum stud weight be set at 1.3 grams for cars and at about 2.0 grams for large trucks (tire rim sizes of 17" or greater).

As we discussed, our pavement rut measurements from start to end of the winter seasons have shown a pavement wear rate of 0.1 to 0.2 inches per million studded tire passes. The direct value of the pavement worn away amounts to \$10 to \$15 per studded tire during it's useful life. However, repairing the ruts normally requires that we mill or remove and replace the pavement across the entire lane to the bottom of the ruts. This increases the pavement repair costs to about \$40 to \$50 per studded tire. These costs may substantially reduced by lightweight studs.

August 3, 1993

The best wear data we have from pavement rut measurements is from Juneau. It is summarized by my memo of 6/13/91 (copy enclosed). However, in the Anchorage area good data comes from our pavement study site on the Glenn Highway just north of Eagle River. At that location the maximum rut depth is now about 0.9" after 10 years of service. The wear rate has been about 0.10" per million studded tire passes and the pavement loss from wear has been 19 tons per lane per mile per million passes.

As a final comment, the few studded tire use counts we made this past winter indicated large increases in studded tire use over the 1990 levels, which is disturbing from a pavement life standpoint. Juneau studded tire usage levels in March were 35% higher than in 1990, while Anchorage usage was up by 55%.

I hope that these figures will be of help to you. Also, we are just initiating a study of the comparative wear resistance of our different paving mix types. Within the next few months we hope to have some additional information from the wear testing machine being developed under that study. If you need further information on our rutting research work, please call me at 465-6956.

Sincerely,



David Esch
Research Applications Engineer

Enclosures

cc: R. D. Shumway, Chief Engineer
Eric Johnson, Pavement Management Engineer, Stwd. Materials



Representative Mark Hanley
Alaska State Legislature

MEMORANDUM

DATE: April 18, 1994

TO: Senator Bert Sharp
Chairman, Senate Transportation Committee

FROM: Representative Mark Hanley *MH*

SUBJECT: Scheduling of CSSSHB 301 (L&C) "Sale of lightweight studs"

CSSSHB 301 (L&C) would require the sale of lightweight studs in Alaska starting in 1997. Use of lightweight studs could reduce pavement wear by 50% without compromising the performance benefits of studded tires. This is a "win-win" situation.

Studded tires have a negative side effect on our roads in the form of increased pavement wear, which compromises safety and increases the need for road maintenance. Studs currently used in Alaska cause between \$133 and \$266 in pavement damage per vehicle, per 40,000 miles of travel. Grooves worn in pavement create the potential for vehicle loss of control, especially during wet or icy conditions.

The direct value of the pavement worn away amounts from \$10 to \$15 per studded tire. Repairing ruts normally requires that the pavement across the lane from the ruts be extracted. This increases the repair costs to about \$40 to \$50 per studded tire.

Lightweight studs are now being used in Northern Europe and are expected to cut pavement wear rates in half. The lightweight studs compare favorably in performance tests against standard studs and consist of tungsten steel tips seated in aluminum or plastic bodies. I believe Alaska should move in this direction.

Your prompt attention to this matter would be greatly appreciated.



HIGHWAY USERS FEDERATION OF ALASKA

1506 W. 36TH AVE., ANCHORAGE, AK 99503

April 25, 1994

Senator Bert Sharp
Chairperson Senate Transportation Committee
State Senate
State Capitol, Room 514
Juneau, Alaska 99801-1182

Dear Senator Sharp:

Please read this letter into your committee records on April 26, 1994 at 3:30 p.m. or thereabouts.

Highly developed Tungsten carbide studded tires are destroying Alaskan roads at an alarming rate, probably over \$5 million per year. One road in Anchorage, paved two years ago, now has ruts nearly two inches deep.

Today, I was thrown violently from side to side after crossing a particularly deep rut on Minnesota. I can imagine the negligence claims against the state should a fatal accident be tied to such ruts.

House Bill 301 is not an effective solution to the problem, but instead apparently caters to one group that stands to profit.

Lightweight studs are just a ploy with small significant benefit in road wear reduction. Use of newer tire technology or soft studs offer much better possibilities and will provide nearly the same benefits as the highly abrasive Tungsten carbide studs.

Please amend House Bill 301 to address stud hardness or other possibilities. ADOT&PF has thoroughly researched and tested this problem and has isolated the correct solutions. Please use their expertise in technical matters such as this.

Sincerely,

HIGHWAY USERS FEDERATION OF ALASKA


Dennis Northingham, P.E.
Secretary/Treasurer

cc: Commissioner Bruce Campbell

Alaska State Legislature

SENATOR
BERT SHARP
CHAIRMAN



Senate Transportation Committee

FAIRBANKS

DENALI BANK BUILDING
110 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

MEMORANDUM

DATE: April 26, 1994

TO: Senate Transportation Committee Members

FROM: Senator Bert Sharp, Chairman
Senate Transportation Committee

RE: Work Draft CS for HB 301

The following changes have been included in the work draft at the request of the Department of Transportation and Public Facilities:

1. The word "**diameter**" was added to lines 8 and 10 to clarify the measurement standard.
2. Studs have been further defined as not having a "**hardness greater than 64 on the Rockwell C scale of hardness in any part of the stud being sold or used.**" This has the effect of requiring a softer stud than the bill currently allows.
3. The effective date has been changed from 1997 to 1996.

MEMORANDUM


State of Alaska
Department of Transportation & Public Facilities

TO: Jeffery C. Ottesen
Director, E&O Standards
Headquarters

DATE: June 13, 1991

FILE NO: 64217

TELEPHONE NO: 474-2471

FROM: David C. Esch, P.E. 
Senior Research Engineer
Statewide Research

SUBJECT: Studded Tires

A copy of the attached letter from Commissioner Turpin to Legislator Curt Menard on the subjects of studded tires use and pavement wear has come to my attention, and some new data I have just processed may be of interest.

Studded tire use and roadway rutting in Alaska have been the subject of a research study now nearing completion. I have processed Juneau pavement wear data at the Juneau Douglas bridge, the Douglas Island "Breeze-In" crosswalk, and the Mendenhall Loop pedestrian over-crossing. Pavement wear rates were calculated based on total studded tire passes estimated from stud usage counts and monthly and annual traffic counts. Results were very consistent between sites, as shown in Table I.

Total Stud Passes by 4/4/91 (Millions)	Location	Wear per Million Passes		
		Wear Rate (inches)	Wear Area (inches) ²	Tons/Lane/Mi.
5.37	On J.D. Bridge	0.148	9.31	23.9
5.37	Before J.D. Bridge	0.134	9.92	25.5
3.87	Douglas Road	0.122	9.08	23.3
5.84	Mendenhall Loop	0.102	7.56	19.3

The 4th column, showing the worn area in square inches is the cross-sectional area worn away in both ruts of one lane at our measurement sites. These results show our wear rates to be much less than quoted in previous literature. These figures convert to pavement losses of 10 to 14 metric tons per kilometer, rather than the 50 to 100 tons quoted in the letter to Representative Menard. This, in turn, converts to a cost for replacement of the worn away pavement of about \$12.00 per studded tire if the tires are used for 30,000 miles. A suitable solution may be to tax studded tires at \$12.00 each at the point of sale.

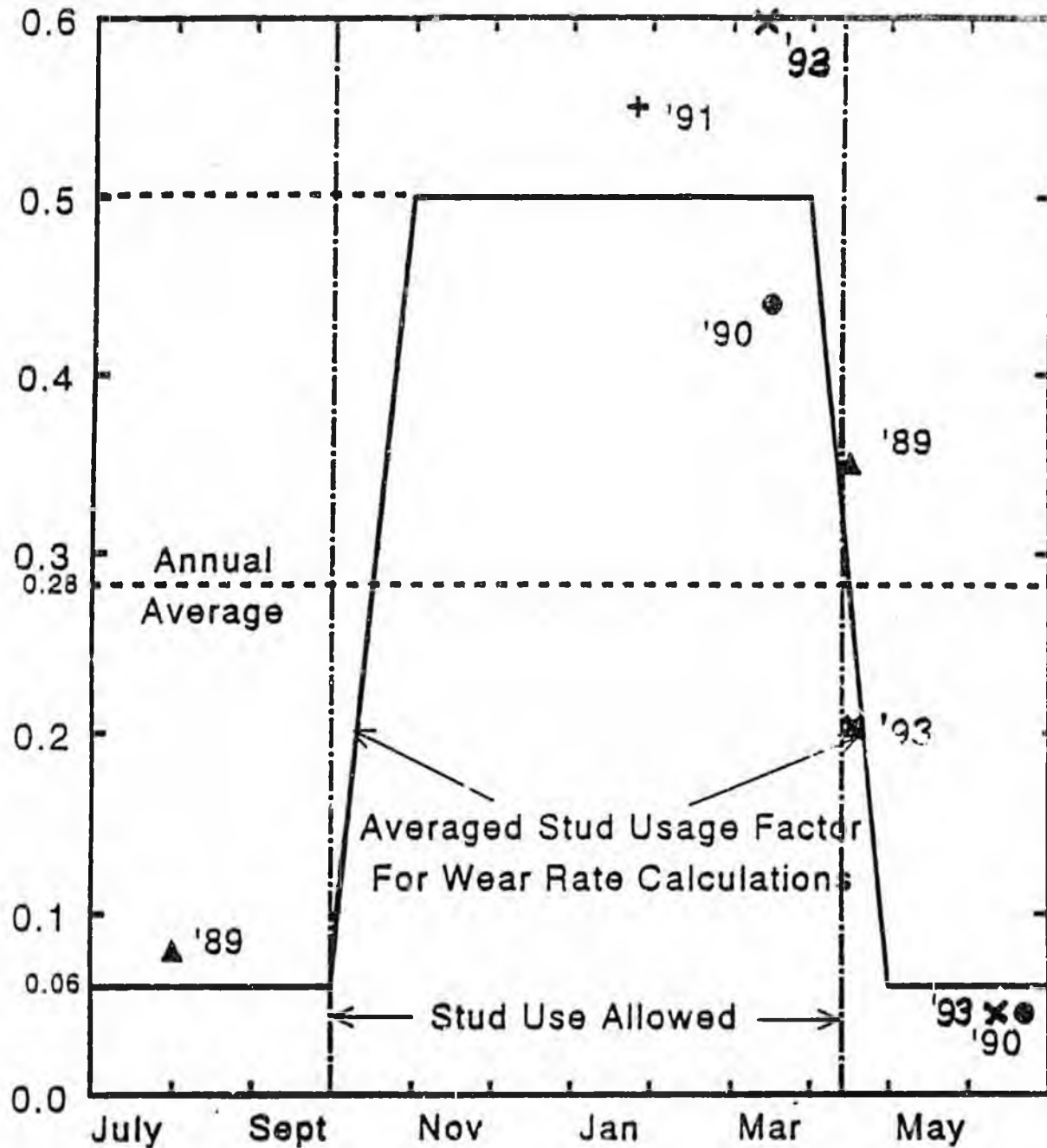
Our Juneau rut data has provided some very interesting conclusions. By measuring rut depths on and off of the Juneau-Douglas Bridge we found essentially the same rut depths developing over the bridge deck concrete as over a crushed gravel subgrade. The approaches and the bridge itself were paved with the same AC mix. This tells us that subgrade deformation is not a cause of the pavement rutting, and that our interpretation of the rutting as wear-related is correct.

Our measurements before and after the 1990-91 winter tell us that rut depths increase much more rapidly in winter than in summer, due to the much higher wintertime usage of studded tires and also to some spinning of the tires when roads are icy. Table II summarizes our measured wear rates over various time periods.

TABLE II: Juneau Area - Seasonal Rut & Wear Measurements				
Site	Period Covered	Dates Covered	Wear Rates inches/million Stud Tire Passes	
S. Douglas	8 Summers + 7 Winters	10/81 to 4/89	.112	
	2 Summers + 1 Winter	4/89 to 10/90	.099	
	1 Winter	11/90 to 4/91	.265	
Mendenhall Loop	7 Summers + 6 Winters	9/82 to 4/89	.105	
	2 Summers + 1 Winter	4/89 to 10/90	.094	
	1 Winter	11/90 to 4/91	.090	
J. Douglas Bridge	8 Summers + 7 Winters 2 Summers + 1 Winter 1 Winter	10/81 to 4/89	<u>On Bridge</u> .145	<u>Off Bridge</u> .133
		4/89 to 10/90	.127	.150
		11/90 to 4/91	.202	.115
Juneau Average Values	8 Summers + 7 Winters 2 Summers + 1 Winter 1 Winter	Up to 4/89	0.124	
		4/89 to 10/90	0.118	
		11/90 to 4/91	0.168	

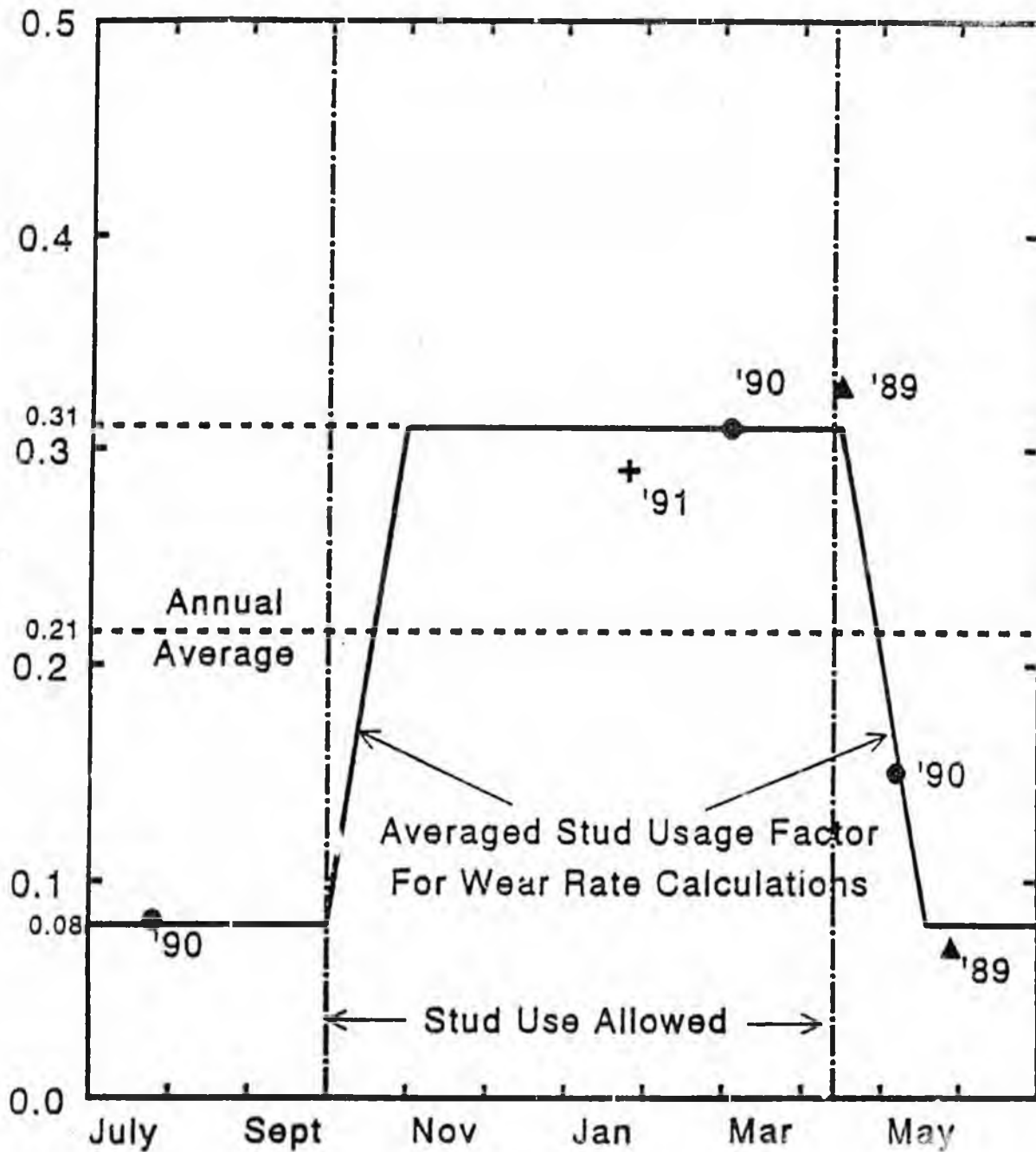
My overall conclusion is that essentially all of the pavement rutting in Juneau is due to studded tire wear, and that about 10% of the total rutting comes from stud use during the "No-studs-allowed" season of the year. The higher winter time wear rates for the first and third sections listed may be because they are in light acceleration or braking areas, while the Mendenhall Loop site has a more constant speed aspect.

Studded Tires per Vehicle Pass
(one wheelpath)



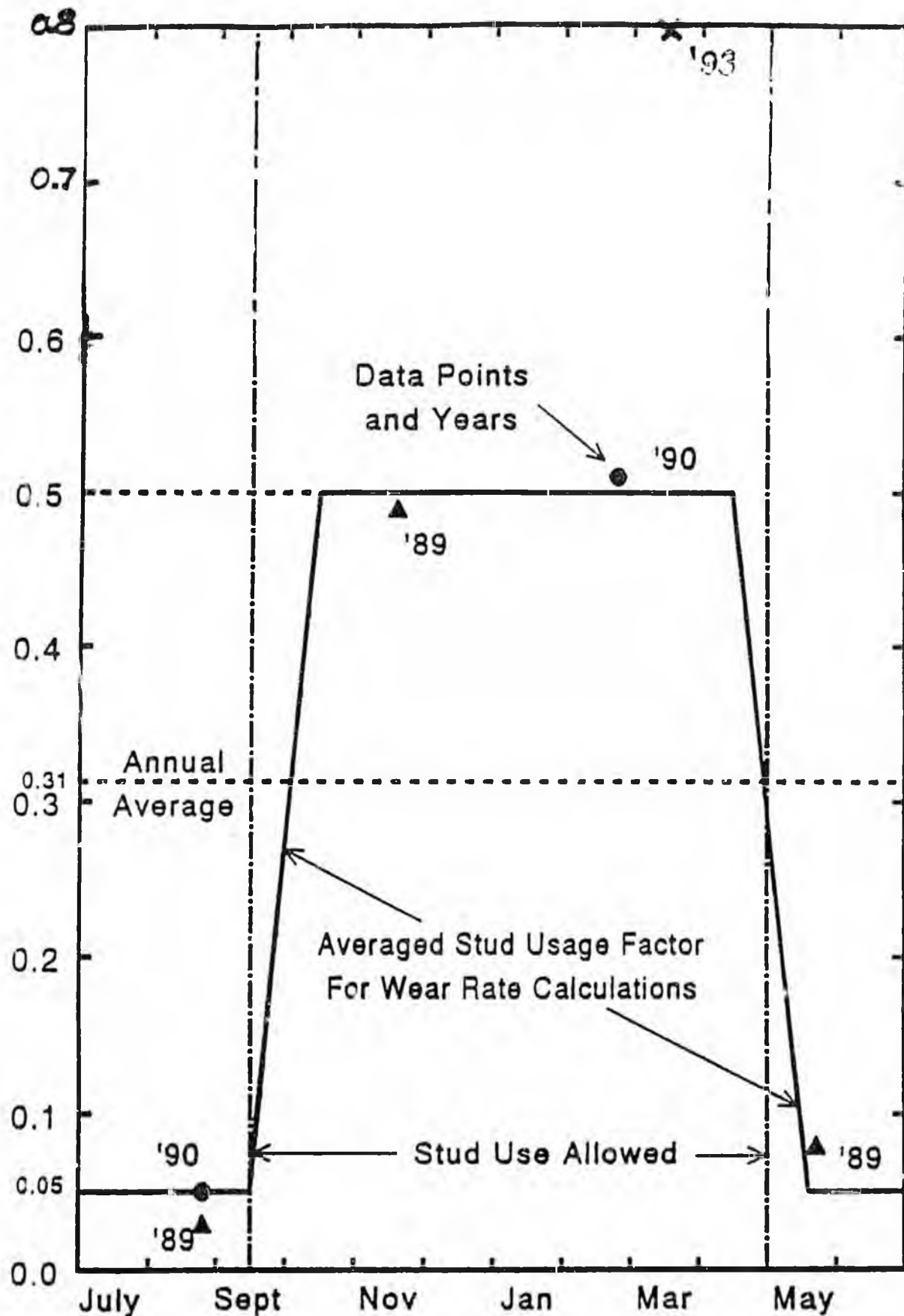
Seasonal Studded Tire Frequency Pattern
Juneau, Alaska

Studded Tires per Vehicle Pass
(one wheelpath)



Seasonal Studded Tire Frequency Pattern
Fairbanks, Alaska

Studded Tires per Vehicle Pass
(one wheelpath)



Seasonal Studded Tire Frequency Pattern
Anchorage, Alaska