

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

11092 HOUSE TRANSPORTATION

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STATE OF ALASKA
HOUSE OF REPRESENTATIVES

Representative Jim Holm



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State Capitol
Juneau, AK 99801
TEL 465-3466, FAX 465-2937

February 6, 2003
House Transportation Committee Hearing

House Concurrent Resolution 3

Relating to economic development generated by new road construction and to the design and construction of the Hot Springs Loop Road to connect Chena Hot Springs and Circle Hot Springs.

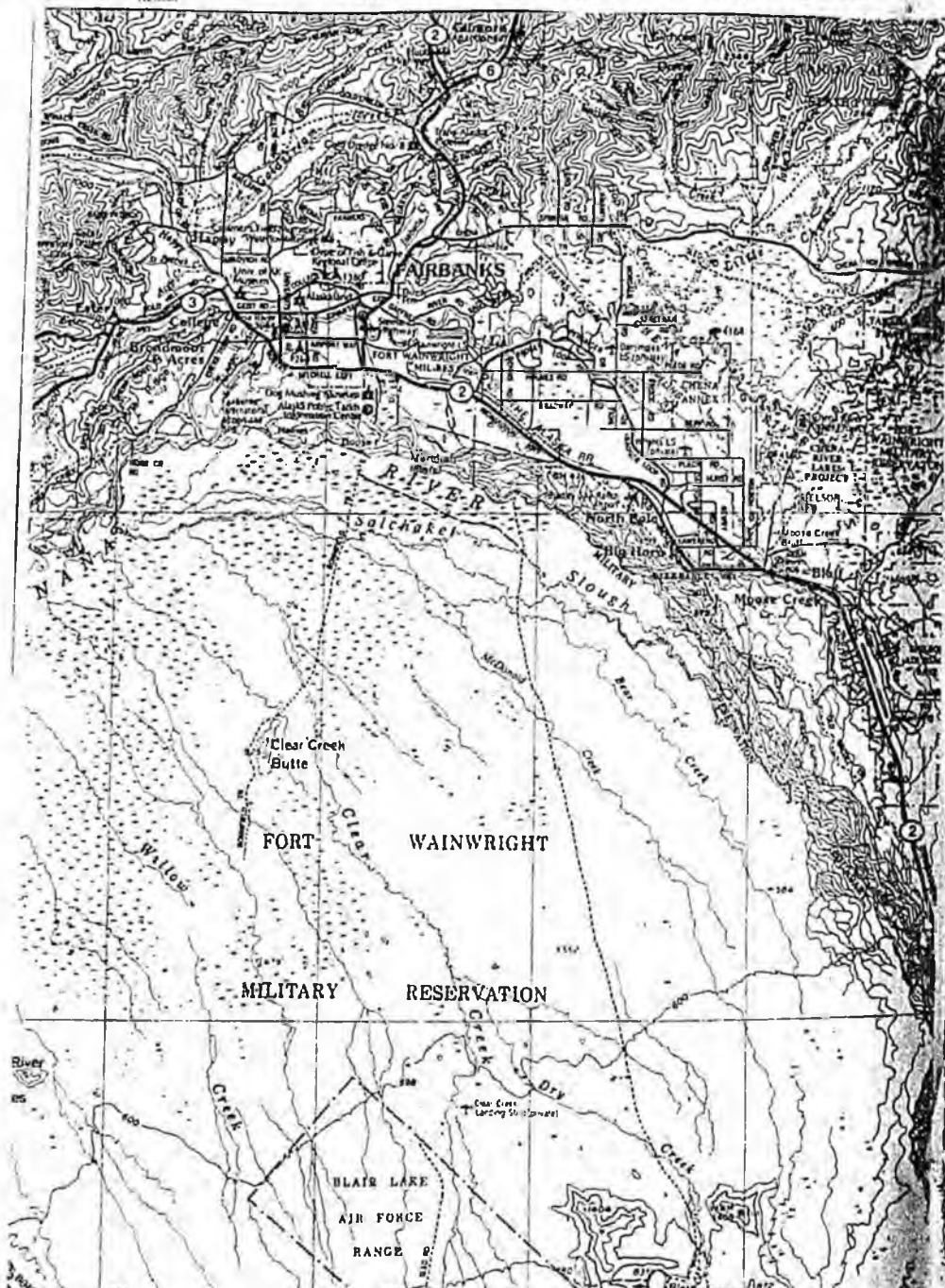
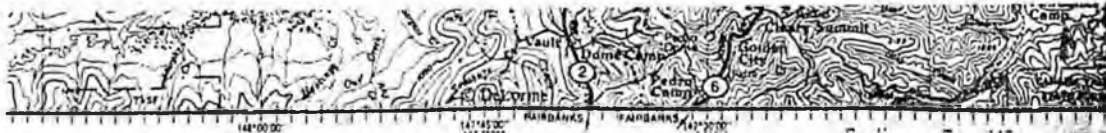
This first committee hearing on HCR 3 is for fact-finding only - to hear opinions and ideas from people who would be affected by construction of a road connecting Chena Hot Springs to Circle Hot Springs.

We do not intend to move the resolution out of committee at this time but merely to present the concept to the public.

There are many worthwhile road construction projects currently under consideration to improve Alaska's highway infrastructure. HCR 3 does not intend to give preference to any one project. Instead it aims to identify and evaluate one project that could significantly improve the quality of life and potential for development in Alaska.

This resolution opens the door and encourages discussion on a "Hot Springs Loop Road" to determine its feasibility, practicality, and benefit for the region.

THE FOLLOWING DOCUMENT HAS NOT
BEEN FILMED BUT IS AVAILABLE IN THE
ORIGINAL FILE.



HOUSE CONCURRENT RESOLUTION NO. 3
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES HOLM, Fate

Introduced: 1/21/03
Referred: Transportation

A RESOLUTION

1 **Relating to economic development generated by new road construction and to the design**
2 **and construction of the Hot Springs Loop Road to connect Chena Hot Springs and**
3 **Circle Hot Springs.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** new roads are needed to connect communities with the resources that
6 create the increased potential for commercial, industrial, recreational, and social activities for
7 residents and visitors; and

8 **WHEREAS** new local roads will allow Alaskans to get to local schools and health
9 facilities and to quickly respond to local emergency situations; and

10 **WHEREAS** improving the transportation infrastructure in Alaska is vital to the
11 economic growth and prosperity of the state; and

12 **WHEREAS** Alaska is the largest state in the Union, comprising one-fifth of the total
13 area of the continental United States, yet Alaska has barely 2,000 miles of roadways, less than
14 the state of Vermont; and

15 **WHEREAS** the proposed Hot Springs Loop Road from Chena Hot Springs to Circle

1 Hot Springs will complete a transportation loop connecting Fairbanks and the two resort areas
2 and will open areas of Interior Alaska for residents and visitors to explore, enjoy, and
3 develop; and

4 WHEREAS the Hot Springs Loop Road would connect the Steese Highway with the
5 Chena Hot Springs Road either through or around the Steese National Conservation Area; and

6 WHEREAS the Hot Springs Loop Road will allow residents and tourists an
7 opportunity to drive the scenic loop between Fairbanks and the resort areas at Chena Hot
8 Springs and Circle Hot Springs; and

9 WHEREAS the Hot Springs Loop Road will foster increased outdoor activities, new
10 tourism ventures, and economic growth in Interior Alaska;

11 BE IT RESOLVED that the Alaska State Legislature recognizes that the economic
12 development activity generated by the construction of new roads is important to the growth
13 and prosperity of the state; and be it

14 FURTHER RESOLVED that the Alaska State Legislature supports the design and
15 construction of the Hot Springs Loop Road to provide a scenic loop route to connect
16 Fairbanks and the resort areas at Chena Hot Springs and Circle Hot Springs.

also
VIC: Stress OTHER Econ.
benefits such as
Resources - Timber,
Mining, gas -

TCC: Exclude Circle City - Tanana
Chiefs

Senate Concurrent Resolution 1

Sponsor Statement

“Relating to economic development generated by new road construction and to the design and construction of the Hot Springs Loop Road to connect Chena Hot Springs and Circle Hot Springs. “

SCR 1 is submitted to recognize the potential for advancing economic development in Interior Alaska.

New roads are key to the advancement of our State's infrastructure. The opportunities for long-term economic growth presented by extending the Chena Hot Springs Road to Circle Hot Springs via the Steese Highway are intuitive.

Specifically, this resolution addresses the following:

- 1) There is a great deal of tourism activity at both Chena and Circle Hot Springs. Connecting the two sites would spur further tourism activity at both locations, and potentially at new sites established along the way.
- 2) Local residents also frequent these locations, not only to enjoy the hot springs' utilities, but also to access fishing, hunting, camping and hiking locations en route to the irrespective destinations. Extending the road to form a loop would clearly extend and improve access to these Alaskan resources and pastimes.
- 3) The increased traffic along this Loop Road would lend itself to increased commercial and industrial activities, including resource extraction and the entrepreneurial ventures, targeting both local and tourism markets, thus promoting job opportunities and long-term economic growth to the area and to the State.

There are many worthwhile road construction projects currently under consideration to improve Alaska's highway infrastructure. SCR 1 does not intend to give preference to any one project. Instead it aims to identify and evaluate one project that would significantly improve the quality of life and potential for development in Interior Alaska. This resolution is further intended to open the door for and encourage discussion on a Loop Road idea in order to determine its feasibility, practicality, and cost-to-benefit analysis for the region.

Please support the Interior Delegation by passing this forward-thinking resolution.



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February 5, 2003

Representative Jim Holm
State Capitol - Room 110
Juneau, AK 99801-1182


Dear Representative Holm:

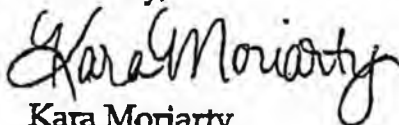
On behalf of the Board of Directors and over 750 business members of the Greater Fairbanks Chamber of Commerce, I would like to offer our wholehearted support for HCR 3, a resolution of support for the construction of new roads to stimulate economic development and for the design and construction of a scenic loop road connecting Chena Hot Springs and Circle Hot Springs.

This fall, the Greater Fairbanks Chamber of Commerce met with officials from the Fairbanks North Star Borough, the City of Fairbanks, the City of North Pole, and the Interior Delegation to discuss needed transportation projects for Interior Alaska. These groups agreed upon a list of thirteen projects consisting of long-term conceptual plans for transportation infrastructure and needed upgrade and maintenance projects.

Of those projects, a loop road between Chena Hot Spring Road and Circle Hot Springs was listed as an identified project that would have long-term benefits for Interior Alaska. The proposed loop road would further enhance the tourism market to Chena and Circle Hot Springs, as well as attract more tourists in the winter for viewing of the aurora borealis.

Thank you for sponsoring HCR 3. We strongly encourage the passage of this resolution. If you have any questions, please feel free to contact me at 907-452-1105.

Sincerely,



Kara Moriarty
President/CEO



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 e-mail: staff@fairbankschamber.org
 website: www.fairbankschamber.org

Fax

To: Jim/Barbara

From: Kara

Fax: 465-2937

Pages: 2

Phone:

Date: 2/6/03

Re:

CC:

● Comments:

Jim's

Here you go!



Kara

- Benefactors
- Alaska Airlines
- Alaska Communications Systems
- Alaska Railroad
- Alaska USA Federal Credit Union
- Alaska Pipeline Service Company
- AT&T Alaska
- BP Exploration (Alaska) Inc.
- CTG
- Denali State Bank
- Design Alaska
- Fairbanks Building & Construction Trades Council "The Unions"
- Fairbanks Natural Gas, LLC
- Fairbanks Urgent Care Center
- First National Bank of Anchorage
- Howline Alaska
- Fort Knox Mine
- GCI
- Golden Heart Utilities
- Golden Valley Electric Association
- Guardian Flight
- Key Bank of Alaska
- Military and Civilian Federal Credit Union
- Mt. McKinley Bank
- North Star Computing
- Northrim Bank
- ConocoPhillips Alaska, Inc.
- Santina's Flowers & Gifts
- Tanana Valley Clinic
- Third Sector Technologies
- Totem Ocean Trailer Express
- University of Alaska Fairbanks
- Urbelli Coal Mine
- WebWeavers, LLC
- Wells Fargo
- Wendy's
- Westmark Fairbanks Hotel & Conference Center
- Williams Alaska Petroleum

SB

31

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: April 30, 2004

FURTHER REFERRALS:

Date of Committee Action: May 4, 2004

The TRANSPORTATION Committee considered:

CSSB 31(RES) am

CS FOR SENATE BILL NO. 31(RES) : m

RAILROAD UTILITY CORRIDOR TO & IN CANADA

"An Act relating to a transportation corridor for extension of the Alaska Railroad to Canada and to extension of the Alaska Railroad to connect with the North American railroad system."

Recommends it be replaced with [] HCS or [] CS for _____ ()
 For Senate Bills with new title: [] Technical Title [] New Title: HCR _____ [] Same Title [] New Title

- [] attach amendments
- [] add new referral to _____ Committee
- [] Letter of Intent _____ Committee

- List of Abbrev for Depts.:
- ADM
 - CEC
 - COR
 - CRT
 - EED
 - DEC
 - DFG
 - GOV
 - HSS
 - LEG
 - LAW
 - LWF
 - MVA
 - DNR
 - DPS
 - REV
 - DOT
 - UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
DOT				✓
DCEB				✓
DNR				✓

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<i>Mary Kapsner</i>	Kapsner			✓	
<i>Allyson Kooker</i>	Kooker			✓	
<i>Beverly Masek</i>	Masek			✓	
<i>[Signature]</i>	Ogg			✓	
<i>[Signature]</i>	Stephanie	✓			
<i>[Signature]</i>	Kahr	✓			
<i>[Signature]</i>					
<i>[Signature]</i>					
Chair: <i>[Signature]</i>	Holm	✓			
Chair: <i>[Signature]</i>					

SENATOR
JOHN J. COWDERY
Anchorage

Committees
Chair: Rules
Chair: Transportation
Chair: World Trade &
State/Federal Relations
Legislative Council
State Affairs

Alaska State Legislature

Senate

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Toll Free: 888-269-3879
Fax: 907-465-2069

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Senator_John_Cowdery@legis.state.ak.us

SPONSOR STATEMENT FOR SB 31

"An Act relating to a railroad utility corridor for extension of the Alaska Railroad to Canada and for the extension of the Alaska Railroad to connect with the North American Railroad system."

Growing Alaska's economy and ending a history of boom-and-bust cycles depends on improving our state's transportation infrastructure. The purpose of SB 31 is to advance the inclusion of Alaska in the contiguous North American rail system.

Without appropriating funds, SB 31 authorizes the railroad to designate a 500-foot-wide transportation corridor from its current northern terminus near Eielson to the Canadian Border. Once the project is completed, the state will convey a 200-foot corridor to the railroad and DNR will continue to manage the remaining 300 feet within the larger corridor. While the railroad will receive fee simple title to the 200-foot corridor, DNR will reserve oil and gas mineral rights, the right to get people and commerce across the railroad, and the right to authorize a gas pipeline.

This legislation SB 31 also authorizes the railroad to investigate further extension in order to make a connection with the North American rail system, logically in British Columbia.

Completing this last transcontinental railroad will benefit the mining, agriculture, tourism, food processing and oil and gas sectors of Alaska's economy. For example, the corridor between Eielson AFB and the border with Canada bisects a proven range of rich mineral potential, including the Pogo Project near Delta Junction.

SB 31 allows the Alaska Railroad to use funds it can obtain – such as from federal appropriations or sale of bonds – to survey and obtain a right of way to the Canadian border.

As world trade grows, this rail connection can only increase Alaska's economic ties with the rest of the nation and North America as a whole.

ALASKA STATE LEGISLATURE
SENATE DISTRICT 0

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John J. Cowdery
Senate Rules, Chair
Senate Transportation Committee, Chair
World Trade State & Federal Relations, Chair
State Affairs, Legislative Council

SECTIONAL ANALYSIS OF CSSB 31 (RES) :
(version 23-LS0336\U)

Section 1 revises the Alaska Railroad Corporation Act, adding two new sections. The first is AS 42.40.460, addressing the extension of the Alaska Railroad to Canada.

The second is AS 42.40.465, which authorizes the ARRC to investigate a rail connection between the Canadian border and North American rail system.

The first section is organized into 11 subsections.

- **Section 1(a)** broadly authorizes ARRC to designate a 500-foot-wide transportation corridor from its current northern terminus at Eielson AFB to the Canadian border and to identify rail land for associated uses. The ARRC is directed to prepare a legal description of these lands.
- **Section 1(b)** lists factors the ARRC must consider when determining the route of the transportation corridor and requires the corporation to consult with interested parties such as gas pipeline proponents.

- **Section 1(c):** Once the ARRC identifies the transportation corridor or rail land, the following steps are mandated by this section:
 1. DNR must consult with ARRC and interested parties to make sure the route minimizes potential adverse effects on a gas pipeline location and operation.
 2. The bill retains DNR as the interim manager with procedural safeguards to protect the future railroad use of the corridor.
 3. Specifically, the land will be reserved by DNR, subject to valid existing rights, and managed by DNR under consultation with ARRC, so as to allow other uses but not obstruct the future railroad or other transportation uses.
 4. DNR and ARRC will begin to identify potential crossing locations.
 5. DNR will retain any revenues arising from use of the land.

- **Section 1(d)** establishes the steps that will occur once ARRC has identified funding and is ready to actually begin construction on a part of the designated corridor. DNR transfers management authority for that segment of the corridor to ARRC, again subject to valid existing rights and retaining the right to authorize and manage a gas pipeline in the corridor. ARRC will from that time forward receive any revenues associated with that land except any derived from a gas pipeline. DNR will also retain the ability to identify and reserve the right to establish future crossings subject to section (g) of the bill.

- **Section 1(e):** Establishes the steps that will occur once ARRC completes construction of a segment of the rail line. ARRC will provide a survey of a 200-foot corridor, 100 feet on each side of the as-built centerline of track. DNR will use that survey to convey the state's entire interest in that land to ARRC, subject again to valid existing rights and reserving (i) the right to establish future crossings, (ii) the oil and gas and other mineral rights required to be reserved in all state land conveyances under AS 38.05.125, and (iii) the right to authorize a gas pipeline and retain associated revenues. ARRC will pay DNR's administrative costs in making the conveyance. DNR will continue to manage the remaining 300 feet within the original 500-foot reserved corridor as a transportation corridor until no longer needed as such. DNR will also continue to manage any remaining 500-foot corridor (in which ARRC has not begun construction) as a transportation corridor under this section.

- **Section 1(f):** This section recognizes the possibility that a natural gas pipeline may be proposed for construction before the railroad extension reaches that level of certainty. The philosophy of the section is that a potential railroad should not be an impediment to a gasline proposed for construction. DNR is required to consult with the corporation before authorizing a gas pipeline across the transportation corridor or associated rail lands. If a railroad improvement has not already been constructed, DNR is authorized to adjust the location of the transportation corridor to accommodate a proposed gas pipeline if it finds this to be in the best interest of the state.
- **Section 1(g):** This section balances the ARRC's needs for a safe, efficient, route unhampered by numerous crossings against the need for development of nearby resources and public access across the route. There are existing rights in this area that will be potential crossings, depending on the final rail alignment, and more are likely to be granted by DNR both before and after railroad construction. Both the state and ARRC are protected against liability arising from public uses except to the extent arising from the gross negligence of either of them. DNR, as the agency with a mission to protect public access to public resources, will reserve the right to authorize specific crossings, but only with the concurrence of ARRC that any particular crossing is consistent with safety standards and minimizes its impact on railroad operating efficiency. If DNR authorizes a crossing, it will indemnify ARRC for related liability on that crossing under AS 42.40.420(1)-(3), which applies to public uses of ARRC land in general, however excepting liability arising from ARRC's gross negligence
- **Section 1(h):** addresses other related activities ARRC must or may undertake as part of the rail extension. Where any portion of the designated route crosses private land, the corporation can consider whether to exercise its statutory power of eminent domain. Where any portion of the designated route crosses federal land, the corporation must work with federal officials to reclassify and withdraw the land for this purpose. Finally, before federal land is acquired or federal funds are spent, the corporation has to comply with federal law requirements for an EIS.
- **Section 1(i):** Relieves the process of delineating, reserving and conveying the lands affected by this section from the requirements of being classified and reclassified under DNR's governing statutes.

- **Section 1(j):** Directs DNR to retain any land previously identified and classified for use as a utility corridor and railroad right-of-way under AS 19.05.122 and manage them as if designated under this section until ARRC notifies DNR those lands are not needed for this transportation corridor.
- **Section 1(k):** Allows ARRC to enter into contracts with all manner of entities to perform the work authorized under this section.

New AS 42.40.465 authorizes ARRC to investigate a rail connection between the Canadian border and the North American railroad system, including the possibility of acquiring land in Canada for supporting this purpose. It also directs ARRC to consider the same factors that are listed under Sec. 1(b) above as it conducts this investigation.

Section 2: Repeals former AS 19.05.122, which was originally enacted in 1977 and amended in 1981 and 1999 to authorize the Department of Transportation and Public Facilities to delineate a proposed utility corridor (including a railroad right-of-way) to Canada.

4/28/2004 5:25 PM

Prepared by the Alaska Railroad

Questions and Issues Explained

Subject: SB 31 establishing a transportation corridor to Canada

Summary statement: *Under SB 31 (RES), the Department of Natural Resources (DNR) will not convey all rights. It will reserve oil and gas mineral rights, the right to get people and commerce across the railroad, and the right to authorize a gas pipeline. DNR will have to consult with the Alaska Railroad Corporation (ARRC) on access issues to ensure applicable safety standards are met.*

Gas Pipeline Application: If the Railroad and gas pipeline are placed in the same corridor, which project is predominant? How will tariffs and crossing issues be handled?

The gas pipeline project takes first priority. SB 31 (RES) would require ARRC to coordinate with potential gas line developers to ensure optimal location for a pipeline. DNR will reserve the right to authorize the gas pipeline. DNR will also retain all tariffs and lease revenues related to the gas pipeline. The decision to cross the railroad right-of-way would be up to DNR but the crossing would have to comply with federal and other applicable safety standards. The crossing would have to maintain the integrity of the railroad and the crossing cost would have to be borne by the pipeline developers.

Surface vs subsurface rights: Would the Railroad receive subsurface rights to resources under SB 31 (RES)?

Under SB 31 (RES) ARRC would not receive subsurface rights other than sand and gravel. ARRC would receive these rights only to a 200-foot right-of-way within the larger 500-foot corridor. ARRC would also receive surface rights to additional rail lands needed to accommodate such needs as maintenance, yards, transfer facilities, crew housing etc.

Easement vs. Fee Simple Title: Why does ARRC need fee simple title to the land?

ARRC believes fee simple title to the lands it will receive is necessary for the following reasons:

Safety/Control: Railroad exclusivity enhances safety to the required federal limits. Control of the land gives the Railroad the ability to properly establish crossings to account for safety, to protect interstate commerce, and to reduce risk. All these factors contribute to increased transit time.

Revenue: Land revenue has been the key to the success of the Alaska Railroad. The revenue from real estate allows the Railroad to augment revenues from operations so the ARRC can support its operation and maintenance bills without having to seek state subsidies.

4/28/2004 5:25 PM

Prepared by the Alaska Railroad

When would DNR transfer the land to ARRC? The concern was "What if the state prematurely transfers land to the railroad and the project is never built?"

The DNR would not convey any land to ARRC until an as-built survey of the centerline and 200-foot right-of-way (100 feet on either side of centerline) is provided to the Department. DNR would continue to manage the remaining 300 feet as a transportation corridor until and unless the Department determines it is no longer needed for that purpose.

Protecting Access for Alaskans:

Even though SB 31 (RES) would give ARRC fee simple title to the land, the DNR protects valid existing rights and maintains authority to identify future potential crossings.

How wide should the corridor be?

How close can you place a gas pipeline to a railroad? Is a 500-foot corridor too narrow to accommodate both projects? The Railroad currently has a 200-foot right-of-way and believes this is a sufficient width to protect its safety and commerce considerations. The width for the larger corridor should be decided in consultation with gas pipeline and other project developers and could, if necessary, be added later.

How do we minimize the impact a 500-foot corridor could have on a community?

SB 31 (RES) gives ARRC the ability to delineate a 500-foot wide transportation corridor UNLESS topographic obstacles, land and community ownership patterns prevent that width.

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 31
 (S) Publish Date: 3/31/03

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title Railroad Utility Corridor to & in Canada BRU Alaska Railroad Corporation
 Sponsor Senator Cowdery Component _____
 Requester Senate Transportation Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
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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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 Please see Analysis Continuation.

Prepared by: Wendy Lindskoog, Director of External Affairs Phone 907-265-2498
 Division: Alaska Railroad Corporation Date/Time 2/7/03 10:20 AM
 Approved by: Edgar Blatchford, Commissioner Date 2/7/2003
 Agency: Department of Community & Economic Development

FISCAL NOTE #1

STATE OF ALASKA
2003 LEGISLATIVE SESSION

BILL NO. SB 31

ANALYSIS CONTINUATION

The Alaska Railroad Corporation (ARRC) is a public corporation supported by revenues generated through freight, passenger and real estate services. ARRC does not receive state subsidies for operations or capital improvements, but does receive federal grants used primarily for capital projects. At this point, ARRC matches all federal grant appropriations with its internal funds. Should this be the case regarding federal funding appropriated for corridor delineation to the Canadian border and beyond, there will not be a fiscal impact to the State's general fund. There would be a fiscal impact if the State helps ARRC match federal dollars. There have been previous estimates that it would take approximately \$5 million to delineate and survey the corridor from the Alaska Railroad near Fairbanks to the Canadian border.

Additionally, this bill would allow ARRC to investigate extending from the Alaskan border to connect to the North American rail system. At this time, ARRC has not estimated the cost to determine the route and conduct surveys for this corridor section. This bill would also allow ARRC to acquire the right of way in this corridor. We assume that State land would be acquired at no cost to ARRC. Military land could be transferred through working with the state's congressional delegation. However, Native lands would require purchase or granting of easements; at this juncture, we do not have any estimates for such associated costs.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSSB 31(RES)
 (S) Publish Date: 4/22/04

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT
 Title: Transportation Corridor BRU: Administration and Support
 Component: Commissioners Office
 Sponsor: Cowdery, Wilken
 Requester: _____ Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
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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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: John MacKinnon Phone 465-3900
 Division: _____ Date/Time 1/28/04 4:59 PM
 Approved by: John MacKinnon Date 1/28/2004
 Agency: Deputy Commissioner

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSSB 31(RES)
 (S) Publish Date: 4/22/04

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title Railroad Utility Corridor to & in Canada RDU Alaska Railroad Corporation
 Component _____
 Sponsor Senator Cowdery
 Requester Senate Finance Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Please see Analysis Continuation.

Prepared by: Wendy Lindskoog, Director of External Affairs Phone (907) 265-2498
 Division: Alaska Railroad Corporation Date/Time 1/27/04 2:33 PM
 Approved by: Edgar Blatchford, Commissioner Date 1/27/2004
 Agency: Department of Community & Economic Development

FISCAL NOTE #3

**STATE OF ALASKA
2004 LEGISLATIVE SESSION**

BILL NO. CSSB 31(RES)

ANALYSIS CONTINUATION

The Alaska Railroad Corporation (ARRC) is a public corporation supported by revenues generated through freight, passenger and real estate services. ARRC does not receive state subsidies for operations or capital improvements, but does receive federal grants used primarily for capital projects. At this point, ARRC matches all federal grant appropriations with its internal funds. Should this be the case regarding federal funding appropriated for corridor delineation to the Canadian border and beyond, there will not be a fiscal impact to the State's general fund. There would be a fiscal impact if the State helps ARRC match federal dollars. There have been previous estimates that it would take approximately \$5 million to delineate and survey the corridor from the Alaska Railroad near Fairbanks to the Canadian border.

Additionally, this bill would allow ARRC to investigate extending from the Alaskan border to connect to the North American rail system. At this time, ARRC has not estimated the cost to determine the route and conduct surveys for this corridor section. This bill would also allow ARRC to acquire the right of way in this corridor. We assume that State land would be acquired at no cost to ARRC. Military land could be transferred through working with the state's congressional delegation. However, Native lands would require purchase or granting of easements; at this juncture, we do not have any estimates for such associated costs.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSSB 31(RES)
 (S) Publish Date: 4/22/04

Revision Date/Time: 1/23/04 Dept. Affected: Natural Resources
 Title Rail/Utility Corridor to and in Canada RDU Resource Development
 Component Land Sales and Muni Ent.
 Sponsor Cowdery
 Requester (S) FIN Component No. 2456

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill authorizes ARR to designate a 500-foot wide transportation corridor from its current northern terminus a Eielson AFB to the Canadian border and to identify rail lands for associated uses. Once the ARR has identified funding and is ready to actually begin construction on part of the designated corridor, DNR is to transfer management authority for a 200 foot wide RR corridor within that segment of the transportation corridor to ARR. Once the railroad has been constructed the bill requires DNR to convey ownership of the 200 foot wide RR corridor and associated rail lands to the ARR. This would total an estimated 7,500 acres of state land for a corridor approximately 268 miles in length.

Prepared by: Bob Loeffler Phone 269-8600
 Division Mining, Land and Water Date/Time 1/23/04 3:45 PM
 Approved by: Thomas Irwin, Commissioner Date 1/23/04
 Agency Natural Resources

FISCAL NOTE #4

**STATE OF ALASKA
2004 LEGISLATIVE SESSION**

BILL NO. CSSB 31(RES)

ANALYSIS CONTINUATION

ANALYSIS: (continued)

DNR anticipates a zero fiscal impact to the department as a result of this bill. The bill provides that the ARR will pay for the survey of the railroad and reimburse the department for any reasonable administrative costs associated with the conveyance of the 200 foot RR corridor to the ARR.

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Murkowski: Time to extend railroad is now

RESOURCES: Alaska governor meets with Canadians on projects.

The Associated Press

(Published: January 17, 2004)

JUNEAU -- Gov. Frank Murkowski told a railroad conference that construction of a natural gas pipeline could help spur an extension of the Alaska Railroad to the Lower 48.

"It's an extraordinary opportunity for both our governments," Murkowski told assembled officials from the United States and Canada. "It's a rare opportunity to do things right."

Murkowski was one of the keynote speakers at Thursday's "Connecting Resources, Building for the Future" conference on a railroad extension.

Murkowski said construction of a gas pipeline running down the Alaska Highway would present the perfect opening for an extension of the Alaska Railroad, according to the Fairbanks Daily News-Miner.

The line currently ends at Eielson Air Force Base near Fairbanks. But it could be extended to the continental rail system in British Columbia, about 1,100 miles away.

Though there is no gas pipeline in the works, Murkowski is optimistic that market forces and legislation will lead to a pipeline project being announced in the near future.

Murkowski and other speakers called the railroad extension a way to provide access and transportation support for oil and gas, mining, tourism and other industries. The corridor also could include fiber optic and electric lines.

"What we're talking about is providing access to the northwest region in a way that's never been there before," Alaska Railroad president Pat Gamble said.

Alaska could get a head start on the railroad extension if the state's congressional delegation comes up with the \$300 million or so to extend the railroad about 70 miles to the Fort Greely area for military purposes. Former North Pole Rep. Jeannette James, who now serves as a railroad adviser for Murkowski, said Sen. Ted Stevens, R-Alaska, supports the extension to provide support for the U.S. Army's new Stryker brigade.

But Murkowski wasn't optimistic that money might be coming this year.



Gov. Frank Murkowski, right, and Yukon Premier Dennis Fentie discussed a proposed Alaska-Canada transportation corridor and the development of an Alaska-Canada rail connection during a one-day summit on the issue Thursday in Juneau. *(Photo by Al Grillo / The Associated Press)*

[Click on photo to enlarge](#)

James said the project could cost about \$3 billion.

Murkowski noted that with Rep. Don Young, R-Alaska, as head of the House Transportation Committee, it is more likely that federal legislation could be crafted to finance the project.

Murkowski argued the time to act is now, before Young's chairmanship ends.

The biggest holdup for a rail link right now, speakers said, is in Ottawa. Back when he was a senator, Murkowski sponsored a bill to establish a joint U.S.-Canadian commission to study a rail line. The bill was passed and \$6 million appropriated for the group, but the Canadian side has yet to respond.

"They just haven't been enthusiastic" about the idea, said Larry Bagnell, Yukon representative to the Canadian Parliament.

But Bagnell and other Canadians said they have had positive responses from new Prime Minister Paul Martin, who was inaugurated last month.

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Senate OKs bill to look at railroad expansion

By TOM MORAN
News-Miner Juneau Bureau

JUNEAU—The state Senate has passed a bill that would allow the Alaska Railroad Corp. to begin plotting out a railroad extension to the Canadian border. If it passes in a revote, the bill will go to the House of Representatives.

"This kind of just establishes a road map to completing a rail connection to the rest of North America," said Senate Transportation Committee chairman John Cowdery, R-Anchorage, the sponsor of the bill. "As world trade goes, this rail connection can only increase Alaska's economic ties to the rest of the nation and North America as a whole."

Senate Bill 31—a duplicate of an unsuccessful measure introduced in 2001 by then-Rep. Jeanette James, R-North Pole—would outline a series of steps for potentially conveying state land to the Alaska Railroad Corp. to build an extension to the railroad, which now terminates at Eielson



TERMINAL—Ground is broken on new Alaska Railroad terminal.

Page B1

Air Force Base.

Legislators and state officials hope to extend the railroad about 70 miles to Fort Greely to serve the missile defense site there, and ultimately through Canada to link up with the continental rail system.

The sticking point for either project is the huge expense: Alaska Railroad Corp. chairman John Binkley estimated an extension to Greely would cost \$350 million to \$400 million, and James has

See RAILROAD, Page A10

RAILROAD: Bill would allow planning for extension

Continued from Page A1

put the price tag of an 1,100-mile extension to the Canada system at around \$3 billion.

Supporters hope to secure federal or other funds for the project. Binkley said the railroad is talking to the military about extensions to Greely, as well as to two new training grounds between Fairbanks and Delta. He also said political and business developments in Canada have made a rail link more of a possibility.

Cowdery's bill would allow the Alaska Railroad Corp. to delineate a 500-foot corridor running the roughly 270 miles from Eielson to the Canadian border, as well as spots for uses such as rail yards. The corridor would be narrower where physical obstacles or private land ownership get in the way.

The Department of Natural Resources would hold onto the state land within that corridor, then turn it over to the management of the corporation if and

when the corporation has plans to begin construction and the funding to do it.

Once an extension is built, the corporation would plot out a 200-foot corridor within the 500-foot corridor and be granted ownership of that land, with the rest reverting to the DNR. Various provisions of the bill would prevent a railroad project from getting in the way of a potential gas pipeline route.

In addition, the bill compels the DNR to "expeditiously" work with federal officials to enable the state to gain control over federal land in the corridor. And the bill also gives the railroad corporation the power to investigate an extension of the railroad through Canada, and to acquire land or interests in land in Canada to that end.

Binkley said the railroad has no immediate plans to start doing any surveying, and would hold that off until a project to build an extension comes together.

"The Legislature is just being proactive," he said.

The bill drew debate on the Senate floor. Sen. Georgianna Lincoln, D-Rampart, said she was concerned that the 500-foot corridor is wider than necessary, and that there has been no discussion of how the state would acquire land in such a right-of-way that is owned by communities, Native corporations or individuals.

"That has not been broached at all, just a recognition that that's an issue that's still out there," she said.

Sen. Con Bunde, R-Anchorage, argued that it amounts to a land giveaway to the railroad, a semi-autonomous corporation under state ownership. He argued that the railroad, which profits from land given by the state, is subsidized to the detriment of other industries like trucking.

Other senators spoke in favor of the bill. Senate Majority Leader Ben Stevens, R-Anchorage, argued that government sub-

sidies extend beyond the railroad to roads, airports and the Alaska Marine Highway.

"Every transportation system in our state is subsidized," he said.

Several argued that the state should work to facilitate an extension for several reasons: To improve Alaska's connections to the Lower 48, to open new opportunities for agriculture, mineral exploration and tourism, and to potentially aid in the construction of a natural gas pipeline.

"Will it work? Will it be financially viable? I don't know," said Sen. Fred Dyson, R-Eagle River. "But to pass up an opportunity to make it work, and try to make it work, to lose that opportunity I think would be very unfortunate."

The bill passed the Senate by a 13-6 vote. It will be up for a potential revote today.

Reporter Tom Moran can be reached at tmoran@newsminer.com or (907) 463-4893.

SB

53

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HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: May 1, 2003

FURTHER REFERRALS: Judiciary

Date of Committee Action: May 6, 2003

The TRANSPORTATION Committee considered:

SB 53

SENATE BILL NO. 53

REVOKE DRIVER'S LIC. FOR FATAL ACCIDENT

"An Act relating to disposition of a traffic offense involving the death of a person; providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

Recommends it be replaced with HCS or CS for _____ (_____)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Deps.:
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 COR
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 EED
 DEC
 DFC
 GOV
 HSS
 LEG
 LAW
 LWF
 MVA
 DNR
 DPS
 REV
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<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
Law				✓
Admin			✓	
DMV				

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<i>[Signature]</i>	Daag	✓			
<i>[Signature]</i>	Koblar	✓			
<i>[Signature]</i>	Kohring	X			
<i>[Signature]</i>	Kate	✓			
Chair: <i>[Signature]</i>	Holan	✓			
Chair:					



SENATOR SCOTT OGAN Alaska State Legislature

Senate District H Lazy Mountain * Butte * Chugiak * Peters Creek
Knik-Goose Bay * Big Lake * Houston * Willow * Talkeetna * Trapper Creek

State Capitol, Room 103, Juneau Alaska 99801*(907) 465-3878*1 (800) 862-3878 * Fax (907) 465-3265

Senator_Scott_Ogan@legis.state.ak.us

Http://www.akrepublicans.org/ogan

23-LSO432A

January 31, 2003

Revision Date: February 18, 2003

SPONSOR STATEMENT

SB53: REVOKE DRIVER'S LICENSE FOR FATAL ACCIDENT

The bill allows a court to revoke the driving privileges of a driver who violates the traffic laws, and the violation contributes to an automobile accident that results in a death. Drivers who violate traffic laws may not have committed a crime, but if their poor driving causes the death of another person, their driving privileges should be revoked. Several traffic deaths occur in Alaska every year when a driver causes the death of another by poor driving and the only consequence is a small fine. This is very difficult for the families of the victims. Under these circumstances, Senate Bill 53 provides revocation of driving privileges for a period of up to three years. This period would be concurrent with any other revocation that might apply, and the court may grant a limited license if the court finds the limited license will not endanger the public.

Contact: Karen Sawyer

465-3878

LEGAL SERVICES

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State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 5, 2003

SUBJECT: Traffic accident involving a fatality (SB 53)

TO: Senator Scott Ogan
Attn: Karen

FROM: Michael F. Ford 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Requires the Alaska Supreme Court and municipalities to establish rules that require a court appearance when a person is cited for a traffic offense that involves a motor vehicle accident that results in a fatality.

Section 2. Provides for driver's license revocation of up to three years when a person is convicted of violating traffic laws, the violation caused an accident and a fatality, and the violation was a significant contributing cause of the accident. Allows the court to grant limited license privileges, and allows a family representative of the person who died in the accident to testify.

Section 3. Provides for indirect amendment of Rules 43 and 43.1 of the Alaska Rules of Administration and provides that section 1 only takes effect if section 1 receives a two-thirds majority vote of each house of the legislature.

Section 4. Provides that the Act applies to accidents that occur on or after the effective date of the Act.

Section 5. Effective date.

MFF:med
03-106.med

Article 04. DISPOSITION OF CERTAIN VEHICLE AND TRAFFIC OFFENSES**Sec. 28.05.151. Citations for scheduled vehicle and traffic offenses.**

(a) The supreme court shall determine by rule or order those motor vehicle and traffic offenses, except for offenses subject to a scheduled municipal fine, that are amenable to disposition without court appearance and shall establish a scheduled amount of bail, not to exceed fines prescribed by law, for each offense. A municipality shall determine by ordinance the municipal motor vehicle and traffic offenses that may be disposed of without court appearance and shall establish a fine schedule for each offense.

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

(c) The supreme court shall require as a condition of the disposition of an offense without appearance that a person charged with any offense for which a bail forfeiture amount has been adopted shall pay the surcharge prescribed in AS 12.55.039 in addition to the bail forfeiture amount established by the supreme court. The surcharge required to be paid under this subsection shall be deposited into the general fund and accounted for under AS 37.05.142.

(d) The supreme court, in establishing scheduled amounts of bail under this section, and each municipality that establishes or has established a fine schedule under this section shall provide that the scheduled amount of bail or fine, as applicable, for a motor vehicle or traffic offense that is committed in a highway work zone shall be double the amount of the bail or fine for the offense if it had not been committed in a highway work zone.

Sec. 28.15.261. Definitions for AS 28.15.221 - 28.15.261.

In AS 28.15.221 - 28.15.261

(1) "licensee" includes, but is not limited to, an applicant for a new driver's license if the applicant's license was revoked under AS 28.15.221 - 28.15.261;

(2) "traffic laws" means statutes, regulations, and municipal ordinances governing the driving or movement of vehicles.

Sec. 28.15.165. Administrative revocations and disqualifications resulting from chemical sobriety tests and refusals to submit to tests.

(a) A law enforcement officer shall read a notice, and deliver a copy of it, to a person operating a motor vehicle, commercial motor vehicle, or aircraft, if a chemical test administered under AS 28.33.031(a) or AS 28.35.031(a) or (g) produces a result described in AS 28.35.030(a)(2); a chemical test administered under AS 28.33.031(a) produces a result described in AS 28.33.030(a)(2); or the person refuses to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) or (g). The notice must advise that

(1) the department intends to revoke the person's driver's license, privilege to drive, or privilege to obtain a license, refuse to issue an original license to the person, or disqualify the person;

(2) the person has the right to administrative review of the action taken against the person's license or determination not to issue an original license;

(3) if the person has a driver's license or a nonresident privilege to drive, the notice itself is a temporary driver's license that expires seven days after it is delivered to the person, except that if the person was operating a commercial motor vehicle the person will be ordered out of service for 24 hours under AS 28.33.130;

(4) revocation of the person's driver's license, privilege to drive, or privilege to obtain a license, a determination not to issue an original license, or a disqualification of the person, takes effect seven days after delivery of the notice to the person unless the person, within seven days, requests an administrative review.

(b) After reading the notice under (a) of this section, the law enforcement officer shall seize the person's driver's license if it is in the person's possession and shall deliver it to the department with a

sworn report describing the circumstances under which it was seized. If the person was operating a commercial motor vehicle, the officer shall order the person out of service under AS 28.33.130.

(c) Unless the person has obtained a temporary permit or stay of a departmental action under AS 28.15.166, if the chemical test administered under AS 28.33.031(a) or AS 28.35.031(a) or (g) produced a result described in AS 28.35.030(a)(2) or the person refused to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) or (g), the department shall revoke the person's license, privilege to drive, or privilege to obtain a license, shall refuse to issue an original license, and, if the chemical test administered under AS 28.33.031(a) produced a result described in AS 28.33.030(a)(2) or the person refused to submit to a chemical test authorized under AS 28.33.031(a), shall disqualify the person. The department's action takes effect seven days after delivery to the person of the notice required under (a) of this section, and after receipt of a sworn report of a law enforcement officer

(1) that a chemical test administered under AS 28.33.031(a) or AS 28.35.031(a) or (g) produced a result described in AS 28.35.030(a)(2), that a chemical test administered under AS 28.33.031(a) produced a result described in AS 28.33.030(a)(2), or that a person refused to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) or (g);

(2) that notice under (a) of this section was provided to the person; and

(3) describing the

(A) circumstances surrounding the arrest and the grounds for the officer's belief that the person operated a motor vehicle, commercial motor vehicle, or aircraft while under the influence of an alcoholic beverage, inhalant, or controlled substance in violation of AS 28.33.030 or AS 28.35.030; or

(B) grounds for the officer's belief that the person operated a motor vehicle or commercial motor vehicle that was involved in an accident causing death or serious physical injury to another person.

(d) The period of revocation of a driver's license, privilege to drive, privilege to obtain a license, refusal to issue an original license, or disqualification shall be for the appropriate minimum period for court revocations under AS 28.15.181(c) or court disqualifications under AS 28.33.140. A department hearing officer may grant limited license privileges in accordance with the standards set out in AS 28.15.201 to a person whose driver's license or nonresident privilege to drive was revoked under this section. The department may terminate a revocation imposed under this section and issue a driver's license to the person, if the license, privilege to drive, or privilege to obtain a license was revoked for an offense described in AS 28.15.181(a)(5) or (8) and the person meets the conditions set out for termination of a revocation by the court under AS 28.15.181(f).

Sec. 28.15.181. Court suspensions, revocations, and limitations.

(a) Conviction of any of the following offenses is grounds for the immediate revocation of a driver's license, privilege to drive, or privilege to obtain a license:

(1) manslaughter or negligent homicide resulting from driving a motor vehicle;

(2) a felony in the commission of which a motor vehicle is used;

(3) failure to stop and give aid as required by law when a motor vehicle accident results in the death or personal injury of another;

(4) perjury or making a false affidavit or statement under oath to the department under a law relating to motor vehicles;

(5) operating a motor vehicle or aircraft while under the influence of an alcoholic beverage, inhalant, or controlled substance;

(6) reckless driving;

(7) using a motor vehicle in unlawful flight to avoid arrest by a peace officer;

(8) refusal to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) while under arrest for operating a motor vehicle, commercial motor vehicle, or aircraft while under the influence of an alcoholic beverage, inhalant, or controlled substance, or authorized under AS 28.35.031(g);

(9) driving while license, privilege to drive, or privilege to obtain a license, canceled, suspended, or revoked, or in violation of a limitation;

(10) vehicle theft in the first degree in violation of AS 11.46.360 or vehicle theft in the second degree in violation of AS 11.46.365.

(b) A court convicting a person of an offense described in (a)(1) - (4), (6), (7), or (10) of this section shall revoke that person's driver's license, privilege to drive, or privilege to obtain a license for not less than 30 days for the first conviction, unless the court determines that the person's ability to earn a

livelihood would be severely impaired and a limitation under AS 28.15.201 can be placed on the license that will enable the person to earn a livelihood without excessive danger to the public. If a court limits a person's license under this subsection, it shall do so for not less than 60 days. Upon a subsequent conviction of a person for any offense described in (a)(1) - (4), (6), (7), or (10) of this section occurring within 10 years after a prior conviction, the court shall revoke the person's license, privilege to drive, or privilege to obtain a license and may not grant the person limited license privileges for the following periods:

- (1) not less than one year for the second conviction; and
- (2) not less than three years for a third or subsequent conviction.

(c) A court convicting a person of an offense described in (a)(5) or (8) of this section arising out of the operation of a motor vehicle, commercial motor vehicle, or aircraft shall revoke that person's driver's license, privilege to drive, or privilege to obtain a license. The revocation may be concurrent with or consecutive to an administrative revocation under AS 28.15.165. The court may not, except as provided in AS 28.15.201, grant limited license privileges during the minimum period of revocation. Except as provided under AS 28.35.030(n)(3) and 28.35.032(p)(3), the minimum periods of revocation are

- (1) not less than 90 days if the person has not been previously convicted;
- (2) not less than one year if the person has been previously convicted once;
- (3) not less than 3 years if the person has been previously convicted twice;
- (4) not less than 5 years if the person has been previously convicted more than twice.

(d) A court convicting a person of an offense described in (a)(9) of this section shall revoke that person's driver's license, privilege to drive, or privilege to obtain a license for not less than the minimum period under AS 28.15.291(b)(4).

(e) [Repealed, Sec. 34 ch 119 SLA 1990].

(f) The court may terminate a revocation for an offense described in (a)(5) or (8) of this section if

(1) the person's license, privilege to drive, or privilege to obtain a license has been revoked for the minimum periods set out in (c) of this section; and

(2) the person complies with the provisions of AS 28.15.211(d) and (e).

(g) The court may suspend the driver's license, privilege to drive, or privilege to obtain a license of a person who fails to appear in court as required by a citation for an offense involving a moving motor vehicle, or who fails to pay a fine as required by the court for an offense involving a moving motor vehicle. If the court suspends a driver's license under this subsection, the court shall also provide notice of the suspension to the department. A suspension imposed under this subsection remains in effect until the person appears in court as required by the citation, or pays the fine as required by the court. When the person appears in court or pays the required fine, the court shall terminate the suspension imposed under this subsection and provide the department and the person with written notice of the termination.

(h) A court convicting a person under AS 04.16.050(c) or (d) shall revoke the person's driver's license or permit, privilege to drive, or privilege to obtain a license as provided in AS 04.16.050(c) or (d).

(i) In this section, "previously convicted" has the meaning given in AS 28.35.030.

Rule 43. Bail Forfeiture Schedules.

(a) **Procedure for Adopting Bail Forfeiture Schedule.** The supreme court will consider adopting a bail forfeiture schedule only when so authorized by statute. The agency charged with enforcement under a statute for which a bail forfeiture schedule has been authorized shall forward to the administrative director its recommendations for a proposed schedule, listing offenses by number, describing the offenses, and proposing a bail forfeiture amount. The proposed schedule shall be accompanied by commentary explaining the basis for the agency's recommendation, and by a copy of the proposed citation form. The supreme court shall consider the recommendation, and shall determine whether to adopt a bail forfeiture schedule, and if so, shall determine which offenses are amenable to disposition by bail forfeiture and whether the bail forfeiture amounts are appropriate. The administrative director shall notify the agency when an order adopting the schedule is issued.

(b) Procedures for Amending Bail Forfeiture Schedules.

(1) By July 1 of each year, each agency charged with enforcement under a statute for which a bail forfeiture schedule has been authorized shall forward to the administrative director of the Alaska Court System its written recommendation concerning whether the schedule must be amended to reflect any legislative and regulatory changes, or whether policy considerations warrant revisions. Any proposed amendments shall be accompanied by commentary. The supreme court shall consider the agency's recommendations and determine by October 1 whether to adopt them. If it will be impractical for the court to respond by that date, the administrative director will inform the agency of the date by which the response can be expected. The administrative director shall notify the agency when an order amending the schedule is issued.

(2) In addition to the provisions of paragraph (b)(1), an agency may request a bail forfeiture schedule amendment whenever the need arises.

(3) Any person or agency may request a bail forfeiture schedule amendment at any time by proposing an amendment in writing to the chief justice or to the administrative director.

(Adopted by SCO 651 effective July 1, 1985; amended by SCO 1180 effective July 15, 1995)

Rule 43.1. Traffic Bail Forfeiture Schedule.

Pursuant to AS 28.05.151, the following vehicle and traffic offenses are amenable to disposition without court appearance upon payment and forfeiture of the bail amounts listed. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the bail amount for that offense listed below. An offense for which a bail forfeiture amount has been established shall be charged on a citation which meets the requirements of District Court Criminal Rule 8(c) and shall not be filed, numbered or processed as a criminal case.

Effective April 30, 1999, the bail amounts listed below are doubled for violations of AS 28 and regulations adopted under AS 28 committed within a highway work zone, as that term is defined in AS 28.40.100 and 13 AAC 40.010(b).

Pursuant to AS 28.15.131 and 13 AAC 04.008, a citation for an offense listed as "Corr" must be dismissed (or voided) if proof of correction is presented to an inspection official within the time allowed. If the required repair is not made, the offense may be disposed of without court appearance upon payment and forfeiture of the bail amount listed.

Effective August 27, 1998, as a condition of the disposition of an offense without appearance, the defendant shall pay the surcharge prescribed in AS 12.55.039 in addition to the bail forfeiture amount listed below. A court may allow a defendant who is unable to pay the surcharge to perform community work under AS 12.55.055(c) in lieu of the surcharge. The surcharge must be deposited into the general fund in a separate account designated for such surcharges.

February 5, 2003

Senator Scott Ogan
State Capitol
Juneau AK 99801

In Support of Senate Bill 53

Our family has experienced the unfortunate and untimely loss of our son through a motor vehicle accident in March of 1994. At the time of his accident, there were and still are no laws in affect in our state to deal with this situation.

The young man involved in the accident received no punishment of any kind, again, because of the way our laws are set up in the state of Alaska. He did not receive anything but a basic slap on the hand and was involved in another vehicle accident in the months following this accident.

As one can imagine, this was very disturbing to our family. We attended his hearing at traffic court in Palmer and even the judge apologized to us for being unable to do anything due to the way the laws read in our state. He received 300 hours of community service for the deaths of two young men and then was later involved in another vehicular accident involving the deaths of two more young men.

Had this law been in place at that time, at least this young man would not have been behind the wheel of a car and been involved in further accidents. There were witnesses to the accident but all of this was to no avail. They were not even allowed to testify at the hearing.

In summary, we not only had to deal with the unexpected loss of our nineteen-year-old son, but also the emotional trauma of knowing an injustice had taken place and no recompense was to follow.

There needs to be some kind of accountability put on the driver in this type of accident. I believe SB 53 would be a step in the right direction and put the responsibility on the driver.

Sincerely,

Nancy Campbell
P.O. Box 3075
Palmer AK 99645

Taylor, Albert (Lewis)
From: Taylor, Albert (Lewis)
Sent: Monday, February 10, 2003 9:52 AM
To: 'Senator Scott Ogan'
Subject: FW: Senate Bill #53

-----Original Message-----

From: Taylor, Albert (Lewis)
Sent: Monday, February 10, 2003 9:46 AM
To: 'Senator Scott Ogan'
Subject: Senate Bill #53

Senator Ogan

I was lead to believe that driving is a privilege. If a motor vehicle operator / driver chooses to drive irresponsibly, (breaking traffic laws and killing others), then their driving privileges should be taken from them. There are too many deaths on our roads and highways brought on by negligence due to the actions of careless and irresponsible drivers.

Senate Bill #53 would be a step towards holding these irresponsible and careless drivers accountable for there actions. Also, it will be an encouragement for others to drive more responsibly.

I would like to encourage you and your fellow legislatures to pass this bill.

Thank You


Albert Lewis Taylor
POB111033
Anchorage Alaska

(907-3447486)

tiak@Alaska.net



MADD

Activism | Victim Services | Education™

Mothers Against Drunk Driving
JUNEAU CHAPTER
211 4th St., Suite 314
Juneau, AK 99801
Phone (907)463-2562
Fax (907)463-2540
madd@alaska.net
www.madd.org/ak/juneau

April 25, 2003

Senator Ogan
State Capitol
Juneau, Alaska 99801-1182



RE: Senate Bill 53

Dear Senator Ogan,

The MADD Alaska Chapters support Senate Bill 53.

Too often drunk driving offenders walk out of court rooms with lesser charges because of various technicalities. Since they do not lose their drivers license they feel confident to continue the dangerous habit of drinking and driving.

One example is when a suspected drunk driver fails the litmus test. By the time they take the breathalyzer test enough time has passed between the arrest and the time blown into the breathalyzer that the BAC level has dropped below .08. The DUI charge usually drops to a lesser one such reckless driving.

This bill will create stiffer consequences for those who drive while intoxicated.

This bill will serve as a deterrent for those who do not want to risk losing their license regardless of the charge.

Sincerely,

Cindy Cashen
Executive Director

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 53
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title "An Act relating to disposition of a traffic offense BRU Criminal Division
involving the death . . . revocation of driving privileges. . ." Component All
 Sponsor Senator Ogan
 Requester Senate Transportation Committee Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would allow the revocation of driving privileges for up to three years of a person who drives a vehicle, including a commercial vehicle, that is involved in a fatal traffic accident if the person is convicted of a violation of traffic laws in connection with the accident, and the violation of the traffic laws was a significant contribution to the accident that resulted in the death of another person.

Because conviction of the traffic offense may result in loss of a valuable license, the person has a right to a jury trial. However, a jury trial on traffic matters is a relatively short time commitment. The Department of Law estimates less than a dozen of these trials will occur statewide per year, and does not anticipate a measurable fiscal impact from passage of this legislation.

Prepared by: Joan M. Kasson Phone (907) 465-5370
 Division Attorney General's Office Date/Time 2/11/03 9:12 AM
 Approved by: Kathryn Daughhetee for Gregg D. Renkes, Attorney General Date 2/11/2003
 Agency Department of Law

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 53
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title License revocation for traffic offense BRU Legal and Advocacy Services
involving fatality Component Public Defender Agency
 Sponsor Senator Ogan
 Requester (S) TRA Component No. 1631

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services	***	***	***	***	***	***
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	***	***	***	***	***	***

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	***	***	***	***	***	***
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	***	***	***	***	***	***

Estimate of any current year (FY2003) cost: ***
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time	***	***	***	***	***	***
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 The Public Defender Agency's operations may be affected by this bill. Drivers generally do not have a right to a court-appointed attorney in traffic violation proceedings. However, the Alaska Supreme Court has held that a person has a right to a jury trial (and court-appointed counsel) for offenses which may result in loss of valuable license such as a driver's license. Baker v. City of Fairbanks, 471 P.2d 386 (Alaska 1970). The Public Defender Agency does not anticipate many of these cases and does not have a reliable way of estimating the costs. Therefore, the fiscal impact is indeterminate.

Prepared by: Linda K. Wilson, Deputy Director Phone (907)-334-4416
 Division Public Defender Agency Date/Time 2/18/03 6:20 AM
 Approved by: Mike Miller, Commissioner Date 2/18/2003
 Agency Department of Administration

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 53
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title License revocation for traffic offense BRU Motor Vehicles
involving fatality Component _____
 Sponsor Senator Ogan
 Requester (S) TRA Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	1.0	1.0	1.0	1.0	1.0	1.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 There will be approximately 10 revocations per year and the reinstatement fee for each driver is \$100. The 10 revocations is only a very small fraction of the total revocation workload and will not require extra expenditure.

Prepared by: Kevin Jardell, Assistant Commissioner Phone (907)-465-5568
 Division Dept. of Admin. Date/Time 2/17/03 1:36 PM
 Approved by: Mike Miller, Commissioner Date 2/17/2003
 Agency Department of Administration

SB

71

THE
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Alaska State Legislature

SENATOR
BEN STEVENS
716 WEST 4TH AVENUE
ANCHORAGE, AK
99501-2133
(907) 269-0200
FAX (907) 269-0204



Session:
STATE CAPITOL
JUNEAU, AK
99801-1182
(907) 465-4993
FAX (907) 465-3872

Senate District N

SPONSOR STATEMENT

Committee Substitute for SB 71: Transportation Enhancement Projects

Federal law, TEA-21, and its predecessor, ISTEA, mandate that states expend at least 10% of federal Surface Transportation Program funds on enhancements such as trails and landscaping. Over the past several years, the State of Alaska has expended amounts well beyond the minimum requirements for enhancements projects that could otherwise be applied to roadway construction and improvement projects. CS for Senate Bill 71 decreases the amounts allocated for the TRAAK program and other enhancement projects to be in line with federal minimum requirements to free up millions of dollars to be available for roadway construction and improvement projects.

The Committee Substitute for Senate Bill 71 proposes to reduce the Department of Transportation's allocation of non-restricted federal apportionments to projects classified under the Trails and Recreational Access Program (TRAAK). Under current DOT regulations, the department allocates at least 8% percent to TRAAK projects; CS for SB 71 reduces the allocation to not more than 4%. The bill redirects the other 4% into the DOT allocation for projects classified under the Community Transportation Program, increasing this program's allocation to 37%.

Administrative Order #161 of the previous administration in 1996 established the Trails and Recreational Access for Alaska (TRAAK) program to address features such as trails, scenic highways, recreational access points and interpretive facilities. From 1998 to 2003, over \$150 million was allocated for the TRAAK projects while the federal minimum for transportation enhancement (i.e. trails, landscaping scenic beautification) expenditures was \$43 million; more than a 200% increase. These expenditures do not include separated bike paths or waysides that were included in individual construction projects in the National Highway System program, the Alaska Highway system or Community Transportation Program.

Only a municipality that is federally recognized as a Municipal Planning Organization (MPO) would be impacted by this section (c) of this legislation, which are Anchorage and Fairbanks. In 1998, the Anchorage Metropolitan Area Transportation Solutions (AMATS) adopted a policy of programming 15% of its transportation funding allocation for enhancements. The three-year average at 15% for transportation enhancements from 2000-2002 Transportation Improvement Program averaged roughly \$5.5 million. The Department of Transportation is expecting the Anchorage share of TEA-21 federal-aid transportation funds to increase within the next Statewide Transportation Improvement Program. With the anticipated overall increase, 10% of the three-year average of federal-aid highway funds allocated to AMATS during 2004-06 will be roughly \$5.8 million, slightly more than what was allocated during 2000-2002.

**Comparison of the Anchorage Metropolitan Area Transportation Solutions (AMATS)
Enhancements Allocation at 10% and 15%**

	Total AMATS Allocation	Actual	15%	10%
2000	\$35,700	\$5,400	\$5,355	\$3,570
2001	\$38,850	\$6,375	\$5,828	\$3,885
2002	\$35,900	\$5,200	\$5,385	\$3,590
2003	\$42,850	\$9,015	\$6,428	\$4,285
Average		\$6,498	\$5,749	\$3,833
2004	\$56,270	\$8,752	\$8,441	\$5,627
2005	\$57,251		\$8,588	\$5,725
2006	\$59,276		\$8,891	\$5,927
Average			\$8,640	\$5,760

**Comparison of Minimum TE Expenditures Required Under Federal Law,
and Total Level of TRAAK Project Funding
1998 – 2003**

Transportation Enhancements versus the TRAAK Program

The table below is a comparison between the Actual Transportation Enhancement Set-aside required in Federal law versus the TRAAK Program from the State Transportation Improvement Program (STIP). This does not include separated bike paths or waysides that were included in projects in the National Highway System program, Alaska Highway System or Community Transportation Program.

	TE Apportionment	TE+Match	TRAAK Program
1998	4,772,972	5,303,302	17,283,000 Original 1998-2000 STIP
1999	5,928,128	6,586,809	25,982,300 1998-2000 STIP Amendment # 11
2000	6,777,172	7,530,191	28,444,000 1998-2000 STIP amendment #23
2001	7,383,072	8,203,413	27,975,000 Original 2001-2003 STIP
2002	7,586,952	8,429,947	28,397,100 2001-2003 STIP Amendment #6
2003	6,490,029	7,211,143	22,096,200 2001-2003 STIP FINAL Amendment #17*
		43,264,806	150,177,600

*2003 TRAAK Program was reduced approximately \$9 Million in January, 2003 per a Best Interest Finding from Acting Commissioner Barton. This funding was added to the CTP program.

National Recreational Trails Federal Program

FY2004 Request: \$695,000
Reference No: 6854

AP/AL: Appropriation
Category: Transportation
Location: Statewide
Election District: Statewide
Estimated Project Dates: 07/01/2003 - 06/30/2006

Project Type: Construction
Contact: Nico Bus
Contact Phone: (907)465-2406

Brief Summary and Statement of Need:

All across Alaska, Alaskans rely on trails for recreation, subsistence, and travel between communities. These trails need constant maintenance to ensure they are safe for passage and to ensure that they remain open and available for use. Funds are distributed by 80-20 matching grants for recreational trail and trailhead development and maintenance, and for education programs relating to trail safety and environmental protection. Grants are awarded to organizations, businesses, agencies, and local governments.

Funding:	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	Total
Fed Rcpts	\$695,000	\$695,000	\$695,000	\$695,000	\$695,000	\$695,000	\$4,170,000
Total:	\$695,000	\$695,000	\$695,000	\$695,000	\$695,000	\$695,000	\$4,170,000

State Match Required One-Time Project Phased - new Phased - underway On-Going
0% = Minimum State Match % Required Amendment Mental Health Bill

Operating & Maintenance Costs:

	<u>Amount</u>	<u>Staff</u>
Total Operating Impact:	0	0
One-Time Startup Costs:	0	
Additional Estimated Annual O&M:	0	0

Prior Funding History:

SSSLA01/CH1 - \$695,000
SLA01/CH61 - \$710,000
SLA00/CH135 - \$710,000
SLA99/CH2 - \$650,000

Project Description/Justification:

As more and more residents and visitors turn to Alaska's vast trail system for recreation, subsistence, and basic transportation between communities, the need for a more extensive and well-maintained trail system continues to grow. The growing population is also putting development pressure on the existing trail system and many trails are being lost as property is subdivided or sold to private owners. We can assist in slowing the loss of our existing trail system through this granting program and will sustain and improve that system as well.

State funds are saved by the availability of these federal grant funds for development and maintenance of Alaska's public recreational trails. Public safety is improved by having well maintained trails. Trespass is reduced by securing trail easements with grant funds. Search and rescue costs are reduced by having well marked and maintained trails that are easy to follow. Because this is a matching grant program, grantees provide cash, labor and equipment to match at least 20 percent of grant funds, effectively stretching state funds. Public recreational trails contribute to Alaska's economy by providing construction and maintenance jobs, attracting tourists and visitors, and by stimulating the business of outfitters, guides and tour companies.

Why is this Project Needed Now:

ational Recreational Trails Federal Program

FY2004 Request: \$695,000
Reference No: 6854

Alaska's trails are gradually being lost due to community expansion and development pressure. The grant program provides an opportunity to establish new trails and reserve existing recreational access throughout the state.

Specific Spending Detail:

One hundred percent of the grant amount will be spent as follows: 7% for program administration; 5% for education; and of the remainder, 30% is available for non-motorized trail projects, 30% for motorized trail projects, and 40 percent for projects with both motorized and non-motorized trail uses.

Prior Funding History and Status:

The first recreational trails grant funds, originally called Symms Grants, were available in 1993 through the Intermodal Surface Transportation Efficiency Act. Alaska received \$110,000. The program has subsequently been funded in slowly increasing amounts each year from 1996 to the present (see below). Applications for 2003 grants are currently being accepted and evaluated. Grants will be awarded in February 2003 to successful applicants.

Previous Funding Levels:

FFY96 \$167,700
FFY97 \$169,300
FFY98 \$365,075
FFY99 \$486,800
FFY00 \$616,600
FFY01 \$610,374
FFY02 \$654,750

Project Support:

This program receives between 60 and 70 applications each year from communities and local trail organizations across Alaska. Approximately 25 grants are given each year. Every community and organization receiving a Recreational Trails Grant benefits and supports this program. In addition, this program is supported by the Governor's Trails and Recreational Access for Alaska (TRAAK) Program, local state park advisory boards, and local communities.

Project Opposition: none

State Match Required:

No state match is required. Grantees are required to provide a minimum of 20% match. The actual match often reaches 50%.

Land and Water Conservation Fund Federal Grants for
Local Governments

FY2004 Request: \$675,000
Reference No: 32552

AP/AL: Appropriation
Category: Development
Location: Statewide
Election District: Statewide
Estimated Project Dates: 07/01/2003 - 06/30/2008

Project Type: Construction
Contact: Nico Bus
Contact Phone: (907)465-2406

Brief Summary and Statement of Need:

More than any other state in the Union, Alaskans recreate outdoors. Outdoor recreation opportunities are very important for Alaskans. This provides a wide variety of benefits including improved physical and mental health, activities for children to prevent delinquency, leadership and teamwork development, and economic opportunities for individuals and local communities. LWCF is a 50/50 matching grant program that provides funding to state and local governmental entities for the acquisition and/or development of outdoor recreation areas and facilities such as soccer fields, campgrounds, tennis courts, boat launches, hiking trails, picnic areas, and outdoor hockey rinks.

Funding:	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	Total
Fed Rcpts	\$675,000	\$700,000	\$800,000	\$875,000	\$950,000	\$1,000,000	\$5,000,000
Total:	\$675,000	\$700,000	\$800,000	\$875,000	\$950,000	\$1,000,000	\$5,000,000

<input type="checkbox"/> State Match Required	<input type="checkbox"/> One-Time Project	<input type="checkbox"/> Phased - new	<input type="checkbox"/> Phased - underway	<input checked="" type="checkbox"/> On-Going
0% :: Minimum State Match % Required		<input type="checkbox"/> Amendment	<input type="checkbox"/> Mental Health Bill	

Operating & Maintenance Costs:

	<u>Amount</u>	<u>Staff</u>
Total Operating Impact:	0	0
One-Time Startup Costs:	0	
Additional Estimated Annual O&M:	0	0

Prior Funding History:

SSSLA02/CH1 - \$500,000
SLA01/CH61 - \$1,600,000
SLA00/CH135 - \$900,000
SLA95/CH103 - \$500,000
SLA94/CH4 - \$500,000

Project Description/Justification:

The need for outdoor recreation facilities in local and regional parks continues to grow with the population. LWCF is a tremendous opportunity to provide up to 50% of the cost of projects that are important to local governmental entities. 50% matching grants provide crucial funding that can make the difference between build/no build and acquire/not acquire valuable outdoor recreation sites. These projects benefit the people of Alaska by providing both facility development and open space. Projects range from close-to-home playgrounds to remote and undeveloped wildlife habitat. Each development project provides short-term jobs for planning, construction and management during the construction phase as well as continued long term positive economic impact from the ongoing operation of the park site.

Why is this Project Needed Now:

To continue to meet the growing recreation and open space needs of Alaskans, existing park facilities must be updated, new facilities developed and in some cases, property acquired to expand existing recreational opportunities. This program will help provide Alaskans with more plentiful opportunities to recreate in safe close-to-home facilities.

Prior Funding History and Status:

State of Alaska Capital Project Summary
Governor's FY2004 Capital
3/1/03 6:12:05 PM

Department of Natural Resources
Reference No: 32552

The 1960/50 federal matching grant program was established through the LWCF Act in 1965 to provide a nationwide legacy of high quality outdoor recreation. Projects ranging from wildlife viewing areas to neighborhood parks; from downhill ski areas to handicapped accessible trails; project located in Alaska's most urban areas to our most rural have been funded through this program.

Since its inception, LWCF has provided over 29 million dollars for 375 acquisition, development and planning projects located in approximately 60 communities across Alaska. Matched with sponsor monies, this translates to over \$58 million dollars of improvements throughout the state. These improvements positively impact the health and well being of Alaska's residents and natural resources, and also provide both short-term and long-term employment opportunities.

\$394.5 was provided for local government grants in FY02 and \$619.5 in FY03.

Specific Spending Detail:

Various, dependent on applications. Spending is restricted to costs associated with the acquisition and/or development of outdoor recreation and open space.

Project Support:

LWCF projects are currently located in approximately 60 communities throughout the state – all of which benefit from prior LWCF spending. These communities, other governmental entities that would like to participate in the program, as well as the user groups they serve support LWCF.

Project Opposition:

None Known

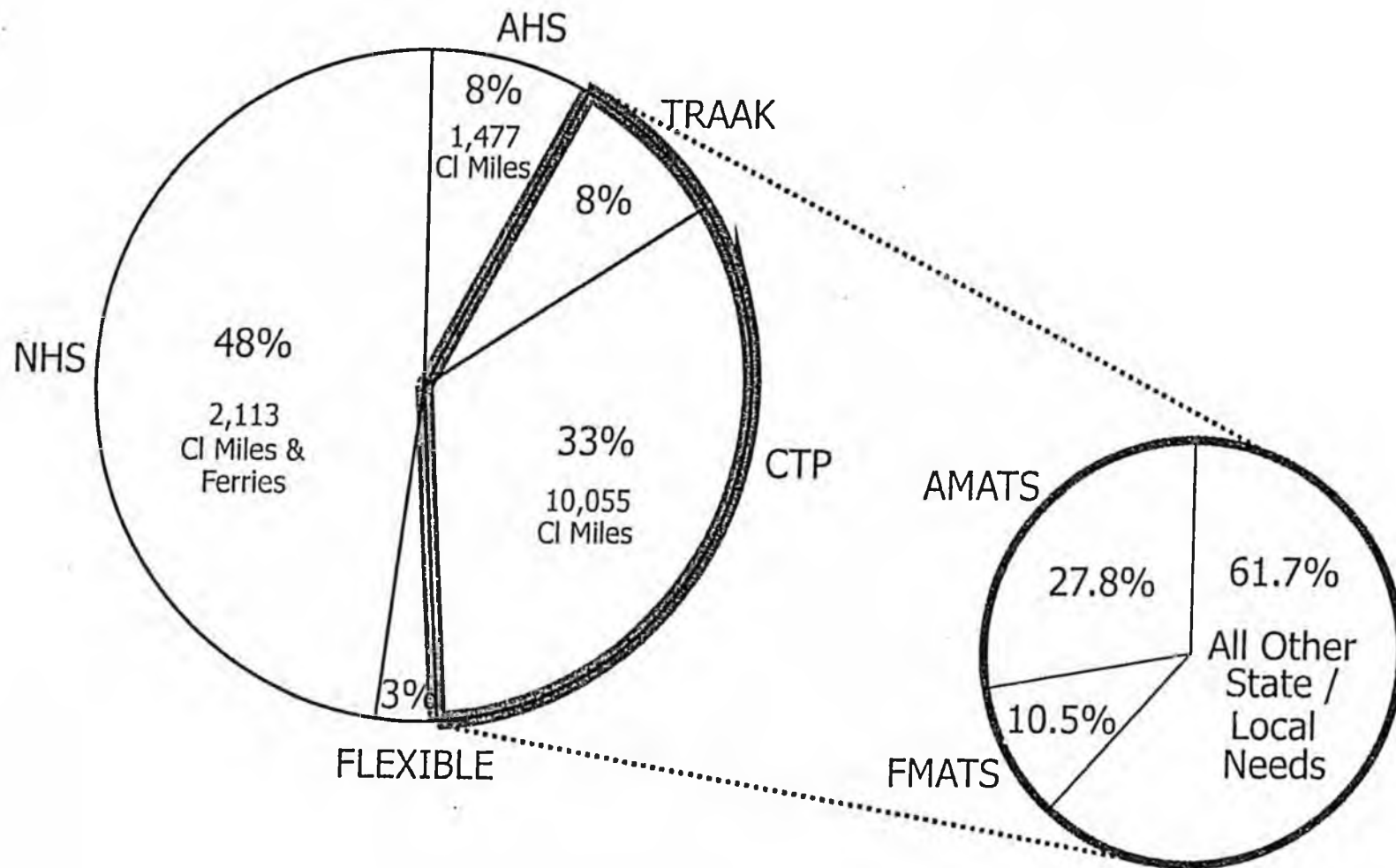
State Match Required:

No. Match provided by local government grant winners.

Annual Ongoing Operating and Maintenance Costs:

Local government grant winners assume all M&O responsibilities.

Distribution of Federal-Aid Transportation Formula Funds Per 17 AAC 05.155-200



Glossary of Terms

511 – New Federal Communications Commission designated three character number to access information about travel conditions. Alaska DOT&PF will coordinate this new number with the CARS database to provide accurate information about travel and road weather information. Part of the Alaska Iways program.

ADOT&PF – Alaska Department of Transportation and Public Facilities – The agency within Alaska state government empowered to own, operate, plan, design and construct transportation facilities.

ADEC – Alaska Department of Environmental Conservation – The agency within Alaska state government responsible for air quality programs, including transportation air quality matters.

AHS – Alaska Highway System – The Alaska Highway System is composed of those transportation facilities, excluding those on the National Highway System, that provide greater utility to Alaska as a whole, than to individual communities.

AIP – Airport Improvement Program – A schedule of projects for airports throughout the state, funded with Federal Aviation Administration funds.

AMATS – Anchorage Metropolitan Area Transportation Study – A joint local-state planning and programming organization, designated as the Metropolitan Planning Organization for Anchorage and charged with developing a Transportation Improvement Program for the Anchorage urbanized area in compliance with the current surface transportation act (TEA-21).

AMHS – The Alaska Marine Highway System – The department's system of vessels, terminals and routes that link most of Alaska's coastal communities from the Aleutians to Southeast.

Apportionments – Program funding levels authorized by TEA-21 from the federal Highway Trust Fund. These amounts are calculated annually and distributed to states. They are available for four years, typically. Expenditures of apportionments are generally subject to and limited by annually appropriated obligation authority.

Bridge Discretionary Program – A competitive program administered by the FHWA for major bridge replacement or for new bridges that replace ferry routes.

BIA – Bureau of Indian Affairs – Some TEA-21 funds are allocated directly to the BIA for ultimate distribution to Alaska Native villages. These funds must be included in the STIP but are not controlled or allocated by the State.

CARS – Condition Acquisition and Reporting System – A web-based database, with map interface, for entering and reporting information about travel conditions. Part of the Alaska Iways program.

CMAQ – Congestion Mitigation/Air Quality – A specific funding program of TEA-21 targeted to reducing air pollutants in nonattainment areas, specifically Anchorage and Fairbanks.

Conformity – A federal required process used to ascertain if proposed transportation plans or projects will reduce emissions of pollutants in areas which are considered to be in nonattainment. Generally speaking, plans, such as the TIP and STIP and individual projects must be reviewed for conformity. Absent a finding of conformity, such decisions, except for specified categories of projects, plans or projects cannot be implemented in the nonattainment areas.

CTP – Community Transportation Program – A program of the Alaska Department of Transportation and Public Facilities that addresses a wide range of community transportation modes, including rural and urban roads, and transit.

CVISN – Commercial Vehicle Information System and Network – a federal program to improve the efficiency and safety reviews of commercial vehicles involving electronic transfer of information between states, and automatic weighing and identification of commercial vehicles as they pass weigh stations. It is part of the Alaska Iways program.

Discretionary Funding – Several dedicated funding sources wherein projects compete nationally including Ferry Boat, Bridge and Public Lands.

Environmental Justice – An emerging federal requirement, based on Title VI of the 1964 Civil Rights Act and Executive Order #12898, 1994. The essence of this Executive Order, pertaining to transportation issues, is the requirement that the delivery of transportation benefits shall be equitable with regard to populations protected under the Civil Rights Act.

FMATS – Fairbanks Metropolitan Area Transportation System – Portions of the City of Fairbanks, the City of North Pole, and the Fairbanks North Star Borough were designated the Fairbanks Urbanized Area by the US Census Bureau on May 1, 2002. FMATS planning organization has been in place for some time, but it will become more formal with this new urbanized area designation. It will become the designated Metropolitan Planning Organization which will select projects to be included in a metropolitan Transportation Improvement Program, similar to Anchorage.

Federal Lands Highway Program – A funding program for public highways on federal lands administered directly by the FHWA. In Alaska this program uses a three-agency project selection committee including FHWA, the US Forest Service and ADOT&PF. These funds must be included in the STIP but are not controlled or allocated by the state.

Ferry Boat Discretionary Program – A program administered by the FHWA for ferry and terminal projects. Under TEA-21 Alaska receives \$10 million annually in specified funds from the program and is further eligible for nationwide competition for the unspecified portion of the program.

FAA – Federal Aviation Administration – The federal agency of the US Department of Transportation responsible for funding airport and aviation projects.

FFY – Federal Fiscal Year – The period October 1 – September 30. For example, the FFY 2001 is the period October 1, 2000 – September 30, 2001.

FHWA – Federal Highway Administration – The federal agency of the US Department of Transportation responsible for funding highways, trails and ferry projects.

FRA – Federal Rail Administration – The federal agency of the US Department of Transportation responsible for railroad issues.

FTA – Federal Transit Administration – The federal agency of the US Department of Transportation responsible for funding transit projects.

High Priority Funding – Dedicated funds for specific projects established in federal law. Also known as demonstration (demo) or earmarked projects.

ISTEA – Intermodal Surface Transportation Efficiency Act of 1991 – An act of Congress providing funding authorization for highways, safety, and mass transportation for a six-year period for federal fiscal years 1992 through 1997. This law was responsible for some new programs, such as CMAQ and Transportation Enhancements, implementing the STIP planning requirements.

ITS – Intelligent Transportation System – A range of technologies designed to improve the effectiveness of existing and new transportation investments. There are several possible ITS applications within Alaska that are under consideration.

Iways – The department's name and logo for several intelligent transportation system projects.

MPO – Metropolitan Planning Organization – The forum for cooperative transportation decision making for an urbanized area involving multiple government agencies. In Alaska, Anchorage is the only MPO. AMATS (Anchorage Metropolitan Area Transportation Study) is the Anchorage MPO and includes representation of ADOT&PF, ADEC, and the Municipality of Anchorage. The Fairbanks urban area is now eligible to form an MPO and this effort is underway.

NAAQS – National Ambient Air Quality Standard – Standards established in the Clean Air Act for various pollutants. Those most concerning Alaska transportation issues are CO (carbon monoxide) and PM (particulate matter – dust and smoke).

Needs List – Transportation Needs and Priorities in Alaska – A document of the Alaska Department of Transportation and Public Facilities that lists all desired transportation projects in the state, including highways, ferries, trails, transit, airports, harbors, and buildings. The Needs List is used as a starting point for preparation of the STIP.

NHS – National Highway System – The most important highways and ferry routes in the United States. Congress must approve NHS designations based on recommendations by the FHWA.

Nonattainment Area – A designated geographic area, which based on long-term air quality sampling, has been found to be in nonattainment for one or more NAAQS. In Alaska, there are four nonattainment areas: Juneau-Mendenhall Valley, Anchorage, Eagle River and Fairbanks.

Obligation Authority – The total amount of federal highway funds that can be authorized for projects in a given FFY. This amount results from annual Congressional appropriations and has historically been less than the annual total program apportionments authorized by TEA-21 and predecessor legislation.

PEB – Project Evaluation Board – The board empowered to evaluate and score projects; it is a team of six managers from the Alaska Department of Transportation and Public Facilities. There is a board for surface transportation and another for aviation.

PIP – Public Involvement Procedure – An established set of procedures providing for public involvement followed in preparing the SwTP and the STIP. The PIP is required under federal regulation, and changes to the PIP must be undertaken with a public review process.

Public Lands Discretionary – A program administered by the FHWA under Federal Lands Highways for highways on public lands. Alaska can apply for nationwide competitive funds annually.

Regional Transportation Plan – Also known as an "area transportation plan", a detailed multimodal plan for a region or geographical area within Alaska prepared by the ADOT&PF. As defined, the regional transportation plans are an element of the SwTP and comprise the recommended projects for the SwTP for a given region. Several regional transportation plans are currently in progress. The plans for Southeast Alaska and Prince William Sound are complete.

RWIS – Road Weather Information System – A system of roadside sensors, communications and data management to sense, receive and portray highway travel conditions. Part of the Alaska Iways program.

SIP – State Implementation Plan – A state (ADEC) prepared plan defining how the NAAQS will be met in areas currently defined by the US EPA as not meeting national standards for air quality. Transportation elements called for in the SIP are eligible for CMAQ funds and must be implemented in the year defined in the SIP.

SIB – State Infrastructure Bank – A FHWA program originally seeded with \$2.5 million for Alaska. After depositing the seed funding and match funding, and possible other state funds into the bank, the State can use the bank to make loans, back bond issues, and accelerate State federal-aid highway projects. The bulk of the initial SIB program has been loaned to the Whittier Project and will be repaid with tunnel toll revenues.

STIP – State Transportation Improvement Program – A staged, multi-year, statewide, intermodal program of surface transportation projects which is governed by surface transportation regulations and funded primarily with surface transportation program funds. The STIP is prepared by ADOT&PF and is approved by FTA and FHWA.

SwTP – Statewide Transportation Plan – A federally required plan upon which projects in the STIP must conform. In Alaska the SwTP is a policy plan for the state as a whole. Regional plans are prepared for individual areas of the state, which outline recommended projects and are each an element of the Statewide Plan.

TEA-21 – Transportation Equity Act for the 21st Century – The most current law describing the surface transportation policy of the United States and making program allocations for funding in various categories to the states. The law is valid from 1998 – 2003.

TCM – Transportation Control Measure – A project or strategy to reduce air pollution from transportation sources. Encouraging motorists to plug in their engine heaters during cold weather can reduce carbon monoxide, and a program of public ads to encourage this behavior is a TCM.

TIP – Transportation Improvement Program – Also known as the AMATS-TIP, a subset of the STIP developed by AMATS for transportation projects within urban Anchorage. When the Fairbanks urbanized area establishes its Metropolitan Planning Organization, it too, will develop a Transportation Improvement Program.

TRAAK – Trails and Recreational Access for Alaska – A program of the ADOT&PF and the Alaska Department of Natural Resources that address trails, scenic highways, recreational access points and interpretive facilities.

WIM – Weigh in motion – Sensors placed in the highway at key locations to identify the weight of passing vehicles. This data is required to fulfill national reporting standards to the US DOT. It is also used in some cases for weight enforcement of highway loads, and to help engineers establish future design standards based on actual traffic using the roadway. Part of the Alaska highways program.

**ASSOCIATED GENERAL CONTRACTORS of ALASKA**

8005 SCHOON STREET • ANCHORAGE, ALASKA 99518
TELEPHONE (907) 561-5354 • FAX (907) 562-6118

March 13, 2003

Senator Ben Stevens
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Re: SB 71

Dear Senator Stevens:

The Alaska Chapter of the Associated General Contractors of America is pleased to endorse Senate Bill 71 as currently drafted. Enhancements to transportation projects are important to the citizens of Alaska, but we must balance the need for such enhancements against the greater need for even basic transportation projects throughout the State. As the Department of transportation and Public Facilities reports each year, the basic transportation needs of the State far exceed our ability to address them. The bill you propose allows enhancements in projects but does not do so at the expense of basic infrastructure projects throughout the State. We encourage all your colleagues in the Senate to support this bill.

Sincerely,

Richard Cattnach
Executive Director



Municipality of Anchorage

Office of the Mayor

George P. Wuerch, Mayor



March 3, 2003

Senator Ben Stevens
State of Alaska
State Capitol
Juneau, AK 99801-1182

Dear Senator Stevens:

I am writing to express my support for Senate Bill 71, an act relating to funding for transportation enhancement projects. I strongly favor a higher statewide allocation for the Community Transportation program.

As you know, the Anchorage Metropolitan Area Transportation Solutions (AMATS) is a coordinated planning process that sets priorities for spending federal transportation funds. The AMATS Policy Committee, of which I am a member, prepares the community's Long Range Transportation Plan, the tool that implements our Transportation Improvement Program (TIP).

In 1998, the AMATS Policy Committee chose to target 15% of its Community Transportation Program funding for enhancement type projects. At a 15% allocation, the programmed enhancement budget within the TIP has averaged roughly \$5 million annually for the last five years.

The state Department of Transportation (ADOT) is planning to increase AMATS' overall allocation by roughly \$10,000,000 million annually. Should SB 71 implement a 10% allocation, AMATS' enhancement funding will average roughly \$5.75 million annually under the higher ADOT allocation for the 2004-06 TIP.

At a 10% share, AMATS will still be able to complete our community's highest priority for the trail system -- completing the trail grid that connects our trail system together. Those projects scheduled for completion during the 2004-06 TIP include:

- Ship Creek Trail connecting Mountain View and Government Hill;
- Extension of the Campbell Creek Trail to Tudor Road
- Chester Creek Trail connection between Tudor Road crossing and Goose Lake;
- Improvement of Midtown Trail connection between Downtown and Midtown areas;
- Eagle River Greenbelt Access and Pathway, 12-mile segment connecting Briggs Bridge with Visitor Center.

Senator Ben Stevens

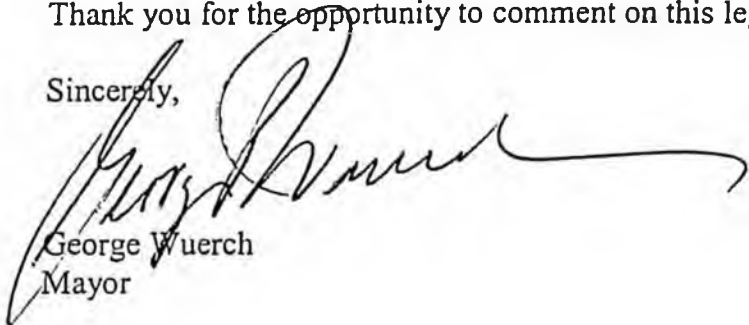
Page 2

March 3, 2003

It should be noted that Anchorage transportation planners estimate that it will take more than twenty years to address our current roadway needs utilizing our existing federal transportation program. Allocating a higher share for roadway needs will accelerate the completion of many projects that will help address this backlog.

Thank you for the opportunity to comment on this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "George Wuerch", with a long horizontal flourish extending to the right.

George Wuerch
Mayor



Mr. James E. Hofferberth &
Dr. Marita M. King
3074 Trentwood Road
Columbus, Ohio 43221

October 9, 2002

Dear Paula and Vigo,

We just wanted to send you a note thanking you for your hospitality during our visit to Alaska. Our trip to Denali was a highlight of our six week excursion.

Alaska is a beautiful state. We consider it to be one of the must see areas around the world.

We want to call to your attention, however, an unfortunate situation that exists along the Alaska Highway (Rt. 2) between the Canadian border and Tok, and extending down the Tok Cutoff (Rt 1) to Glennallen. Virtually all of the state facilities in this area are closed, and there are no toilets or trash holders at other pull-off sites along the roads. The result is a proliferation of trash and human excrement along the highway.

In addition, one encounters many important road signs destroyed beyond usefulness apparently by gunfire, and private properties lining the road strewn with what can only be described as junk.

Crossing the border from Canada into Alaska is a shock that does a great disservice to your beautiful state. This situation, which we observed at the height of the tourist season, is a palpable discouragement for visitors. Marita and I feel that if we had not had the incentive to meet with you in Anchorage, we would likely have turned around and returned to Canada where visitors are made to feel very welcome, and public facilities are readily available, well equipped and tidy.

We hope you will call this to the attention of your state authorities. Alaska is a beautiful state, and I want to be proud of it as part of the great United States of America. At present, however, that image is stained by the situation described above.

Thanks again for your warm hospitality.

Sincerely,

Jim & Marita

Provided by Senator Ben Stevens.

Distributed by Sen. Ben Stevens



Senate Bill 71 Transportation Enhancement Projects

810 N St, Ste 203, Anchorage Alaska 99501 / Ph. 907.258.6171 / Fax 907.258.6177
PO Box 22151, Juneau Alaska 99802 / Ph. 907.463.3366 / Fax 907.463.3312 / www.acvoters.org

To: Senators
From: Matt Davidson, Alaska Conservation Voters
Date: March 12, 2003

The development and maintenance of public trails, sidewalks, community boardwalks, and tourism enhancements are vital for a balanced transportation system in Alaska. SB 71, a thinly veiled attempt to block the extension of the Coastal Trail in Anchorage, will directly impact funding of badly needed projects serving pedestrians, snowmachiners, dogmushers, bicyclists, and tourism businesses across the state. We ask that you vote against SB 71.

SB 71 cuts funding for the Trails and Recreation Access for Alaska (TRAAK) program and limits the ability of the municipalities of Anchorage and Fairbanks to make their own choices about the level of federal money they put towards transportation enhancements.

It is inappropriate and unnecessary for the Legislature to dictate how local governments can spend their share of federal transportation dollars.

While the TRAAK program will remain above the federal minimum required of Transportation Enhancement funding after the SB 71 cut, this is merely the *federal minimum*. Alaska's rural communities depend on trails and boardwalks funded by the TRAAK program for basic transportation. Alaska's special circumstances make it totally appropriate for the state to commit more than the required minimum to transportation enhancements. Under SB 71, vital projects will be forced to compete for a shrinking slice of the money available for non-traditional transportation projects.

The TRAAK cut also hurts programs funded by Transportation Enhancement monies. The SAFEKIDS program, partially funded by TRAAK money, provides helmets at a low cost and educates children and adults on safe snowmobile practices on the Kenai Peninsula.

The balanced development of Alaska's transportation system requires the balanced allocation of the state's Federal transportation dollars. We urge you to protect local government decision-making and maintain an adequate level of federal dollars for Transportation Enhancement projects in Alaska. Please vote against Senate Bill 71.

Thank you

A handwritten signature in black ink, appearing to read "Matt Davidson", is written over a horizontal line.

Matt Davidson, Conservation Advocate

Alaska Conservation Voters is a nonprofit organization dedicated to protecting Alaska's environment through public education and advocacy. Our 34 member organizations represent over 35,000 Alaskans.

Alaskans building a better future.

4/3/3

SB 81

Jeff Otteson

from DOT

will be at

meeting ~~meeting~~

DOT has no objection to SB 71. -
Current Administration supports this
direction - In fact \$8 million has
already been taken out of TRAAK. DOT
worked w/ Sen B. Stevens to craft the bill.

Dennis Poehard: The bill isn't necessary - It's
just a "statement" against the Knowles Administration
"out of control" TRAAK spending.

GARDNER, ALBERTA B
1405 MATTERHORN WAY
ANCHORAGE AK 99508-5044
District: 24-565 Party: D Sex: F

To members of the Committee:

Regarding my opposition to SB 71, as the members undoubtedly are aware, federal transportation funding comes with strings attached...one of which is a requirement that a percentage of the funds are spent on enhancements such as sidewalks, trails, landscaping etc.

It is my belief that local communities should have the right to determine how they wish to spend the funds, providing that the percentage used on enhancements falls within the federal guidelines. I resent very much the interference of SB 71 which forces local agencies to limit enhancement spending to the minimal amount required. As in all matters, Juneau should leave local decisions to local communities.

Thank you for your consideration.

Alberta B. Gardner

MICHELLE CLURGEY
DIR. "FRIENDS of MAFSU"
AGAINST SB 71
LOCAL CONTROL
746-0030

SB 71: BAD IDEA
LOCALS SHOULD RETAIN
CHOICE.

DIANE HOLMES
345-1514



Alaska State Legislature

Please enter into the record my testimony to the House Transportation
 committee name
 committee on SB 71, dated 4/3/03
 bill/subject

House Transportation Committee:

We are opposed to Senate Bill 71 which will decrease/take away funding for trails and related projects. Every day we hear the American public is obese; that we must develop oil-producing fields to provide for the insatiable American need for fuel to run automobiles; and that we must go to war to ensure the continuance of receiving oil from foreign countries. We submit to you that trails are an alternative to provide for "non-motorized" travel and help people get off the "couch" and get exercise to reduce the numbers of children as well as older people who are obese. In fact, in Maine the Legislature recently past legislation to use public funds to build trails to help avert this problem. The/your desire to build more roads in lieu of trails is counter productive to what we have worked toward in building more trails. Build a trail and people will use them! In Alaska, we have very few sidewalks to accommodate people on foot. We need the trails. We respectfully request that you do not take away the relatively small amount of funding that goes toward building trails.

Sincerely,
 Ronald and Marilyn Modafferi
 P.O. Box 2942
 Palmer, Alaska 99645
 907-745-6890
 email: farmloop@Alaska.net

Signed: _____
 Testifier

 Representing (Optional)

 Address

 Phone No.

Please distribute my letter to all the House Transportation Committee members regarding SB 71.

State and local governments should not restrict the amount of monies spent on enhancements. Restricting the local government and their respective communities is meddling in decisions best made at the local level.

Portland, Eugene, and Seattle are examples of enhancement spending done at the local level. These cities are desirable cities to live in.

Vote no on SB 71.

Thank you.

Bonnie Baize
bbaize@pobox.alaska.net
PMB 341
1830 E. Parks Hwy.
Wasilla, AK 99654

Subject: SB71

Date: Thu, 03 Apr 2003 12:23:29 -0900

From: Friends of Mat-Su <foms@mtaonline.net>

To: Barbara_Cotting@legis.state.ak.us

Please distribute to all committee members:

My name is Michelle Church and I am the Executive Director of Friends of Mat-Su. We are a citizen based planning organization with members in every community in the Mat-Su Valley. Our purpose is to provide education and information on land use planning to promote responsible development in the Mat-Su Valley.

We are very much against SB 71. Restricting the ability for state and local spending on transportation enhancements is short sighted. Amenities such as landscaping, lighting, and trail development along our roadways enhances our communities economic opportunities. Trail development in the Mat-Su is one of the priorities of the Mat-Su Assembly. Our communities depend on tourism, both from in-state as well as out of state travelers. The Coastal Trail in Anchorage is mentioned in just about every marketing brochure touting the City of Anchorage as a destination.

We urge the committee to look to the future and not remove opportunities that will enable us to build our communities in ways that will enhance the lives of the people who live in Alaska.

Michelle Church
Executive Director
907 746-0130

Friends of Mat-Su

Dedicated to providing education and information on land use planning and responsible development in the Mat-Su Valley.

An Overview of TRAAK Accomplishments

November 2002

Since its inception, the TRAAK program and Citizen's Advisory Board have provided a forum for interagency cooperation and public participation in transportation, trail and outdoor recreation projects and programs administered by the State of Alaska, and promoted the development of a statewide network of trails for recreation and transportation. Key participants in the TRAAK program include the Governor, the TRAAK Citizen's Advisory Board, Alaska Department of Transportation & Public Facilities, Alaska Department of Natural Resources, Alaska Department of Fish & Game, Alaska Department of Community & Economic Development, and most importantly, Alaska's citizens.

The cooperative efforts of the TRAAK team have made significant improvements in the quality of life and economy of many Alaska communities by enhancing facilities enjoyed by Alaska residents and visitors through the following accomplishments:

- The addition of over 170 miles of new pathways for bicyclists, pedestrians, skiers and other users.
- Upgrades to more than 250 miles of the National Highway System to include wide, paved shoulders ideal for long distance bicyclists.
- The construction of sidewalks, boardwalks, pathways, pedestrian crossings, etc. in more than 40 communities from Akutan to Yakutat.
- Waysides, rest areas, trailheads, and scenic overlooks have been constructed or improved on every major highway in the state.
- New and improved interpretive exhibits that tell of Alaska's native culture, fisheries, wildlife, geology and natural history.
- The connection of more than 70 communities in Alaska with 3500 miles of marked trails through the Winter Trail Marking projects funded through the flexible funding provisions of ISTEA and TEA-21.
- Improved access throughout the state for those with disabilities.
- The development of Alaska Recreational Trails Plan and designation of the Alaska Trails System.
- The development of SEATrails, a regional trails system in Southeast Alaska.
- Support for the designation of Scenic Byways in the state.
- The award of 154 Recreational Trails grants totaling \$2.4 million to local trail clubs, municipalities, and agencies for both motorized and non-motorized trail development, improvement and maintenance.

Many TRAAK projects have received state and national recognition for their design excellence and for their benefit to community or state. For example, the Haines Chilkat Bald Eagle Wayside and Trail projects received national recognition in 2000 from the American Association of State Highway and Transportation Officials (AASHTO) and other organizations for supporting quality of life projects. AASHTO Executive Director John Horsley, who gave the awards on behalf of six transportation and environmental organizations, said, "These state transportation agencies understand the importance of managing these programs to build better communities. We are proud of their accomplishments and encourage other states to take notice of their outstanding achievements."

- Construct a 48-mile snowmobile recreation trail in the Chena Hot Springs area
- Upgrade 80-miles of trails in the Kachemak Bay trail system.
- Construct a pathway for students in Craig.
- Construct the Unity Trail between Kenai and Soldotna.
- Reroute and construct snowmobile trails in Hatcher Pass.
- Construct the Homer Spit pathway.
- Improve the Angel Rocks trail near Fairbanks.
- Improve 18-miles of the Salcha trail system and construct a pedestrian bridge.
- Improve the Montana Creek trail in Juneau.
- Improve the Spaulding Meadow trail in Juneau.
- Tonsina Creek Footbridge repairs and tidal trail improvements in Seward.
- Upgrade the Aurora Dog Musers winter trail near Wasilla.
- Improve trailhead and trail facilities at Alpenglow Ski Area
- Improve the trailhead at the sled dog trail in Beach Lake Park in Anchorage.
- Improve trails within the Edmonds Lake Park in Anchorage.
- Construct trails at Isatquaq Lagoon in Anchorage.
- Improve access and repair the Lake Creek snowmobile trail in Juneau.
- Improve the Lower Lunch Falls Loop trail.
- Reconstruct portions of the Thimbleberry Lake trail near Sitka.
- Reconstruct portions of the Ruth Arcand Park trail.
- Construct trails at the Friends of Eagle River Nature Center.
- Construct the Poopdeck trail in Homer.
- Construct the Eagle Beach trailhead and wayside in Juneau.
- Improve trails in Halibut Cove near Homer.
- Improve the Birch Hill trail in Fairbanks with lighting.
- Improve the Hay Flats trail in Palmer.
- Construct the Yakutat Rail Trail.
- Restore and upgrade the University of Alaska Fairbanks trail system.
- Develop the Blueberry Hills Snowmachine trail in Juneau.
- Rebuild 1.5 miles of trail in Ft. Abercrombie State Historical Park.

Mapping and Easement Recording

- Record trail easements in the Matanuska Valley and Kenai Peninsula.
- Survey and map trails statewide.
- Develop maps and brochures for trails in the Chena Flood Control Project in Fairbanks, and the Lake Louise recreational trail system.
- Survey the Copper Basin 300 Historical Trail near Glennallen.
- Vacate and realign a portion of the Iditarod Trail in the Mat-Su Borough.
- Trail right-of-way recording by DNR.

Pedestrian Bridges

- Tudor Road multi-purpose trail bridge
- Replace the Mill Loop Trail Bridge in Independence Mine State Historic Park.
- Construct pedestrian bridges at Mendenhall River, Little Willow Creek, Kashwitna River, and Sheep Creek.
- Construct three bridges for creek crossings in the Homer area.

Waysides

- Wrangell Petroglyphs Wayside in Wrangell
- Bird Point Wayside near Girdwood
- Totem Bight State Historic Park wayside in Ketchikan.
- Castle Hill Scenic Overlook in Sitka.
- Denali view scenic overlooks in Denali State Park.

2004-2006 Draft State Transportation Improvement Program (STIP) --- TRAAK Projects

Under Senate Bill 71, funding for the TRAAK Program projects will be cut in half.

FY '04 \$15.4 from \$30.8 million

FY '05 \$16.7 from \$33.4 million

FY '06 \$16.3 from \$32.7 million

TRAAK nominated projects go through a similar scoring process as other transportation projects.

Projects with higher scores are first in line for funding. Projects with lower scores will be eligible for ranking against new projects next year.

Under SB 71, projects funded in the draft STIP with lower scores (under 120) will probably not be funded. Many currently funded projects will be delayed or cancelled.

The department is already revising the STIP based upon Administration instruction.

Need ID	Project Description/Funding Source	Score	Phase	Apprn	FFY04	FFY05	FFY06	FFY07	FFY08	FFY09	Req'd Funding >6 years
16155	Alaska Highway MP 1332: Moon Lake Wayside	95.8	2				120.0	65.0			
	Pave access road, construct new loop road, install new ADA vaulted toilets, improve parking area and picnic sites.		4						1,200.0		
	Federal			STP	0.0	0.0	109.2	59.1	1,091.6	0.0	
	State				0.0	0.0	10.8	5.9	108.4	0.0	
	Other										
	Project Total				0.0	0.0	120.0	65.0	1,200.0	0.0	0.0
16041	Alyeska Highway Pathway Improvements	91.7	2				162.0				
	Rehabilitation of the 1.9 mile long Alyeska Highway Pathway . Sponsors propose improving the pathway to meet current pathway standards, weight requirements for snow removal equipment, intrepelive signs, and construction of a new pedestrian and bike underpass from the New Girdwood Townsite traversing under the Alyeska Highway to Forest Fair Park.		3					50.0			
			7							50.0	
			4								1,248.0
	Federal			STP	0.0	0.0	147.4	45.5	0.0	1,180.8	
State			0.0	0.0	14.6	4.5	0.0	117.2			
Other											
	Project Total				0.0	0.0	162.0	50.0	0.0	1,298.0	0.0
6461	AMATS Allocation	999.0	all		7,620.0	7,870.0	8,130.0	8,400.0	8,680.0	8,960.0	
	AMATS Program Allocation										
	Federal			CMAQ	2,772.8	2,863.7	2,958.3	3,056.6	3,158.5	3,260.4	
	Federal			STP	4,159.1	4,295.6	4,437.5	4,584.9	4,737.7	4,890.5	
	State				688.1	710.7	734.1	758.5	783.8	809.1	
Other											
	Project Total				7,620.0	7,870.0	8,130.0	8,400.0	8,680.0	8,960.0	0.0
5789	AMHS: Shipboard Visitor Information Kiosk	86.5	4					220.0			
	Design, fabricate and install electronic information systems to be used onboard four Southeast Mainline Alaska Marine Highway vessels.										
	Federal			STP	0.0	0.0	0.0	200.1	0.0	0.0	
	State				0.0	0.0	0.0	19.9	0.0	0.0	
	Other										
	Project Total				0.0	0.0	0.0	220.0	0.0	0.0	0.0

Need ID	Project Description/Funding Source	Score	Phse	Apprn	FFY04	FFY05	FFY06	FFY07	FFY08	FFY09	Req'd Funding >6 years
2665	Anchor Point: Anchor Road Ped. Beach Access Imp. Construct pedestrian facilities along the Old Sterling Highway and Anchor Point Beach Road from the community of Anchor Point to the beaches at the Anchor River State Recreation area. Trailhead parking area to be constructed with connecting pathways to the nearby school, baseball field, and the visitors center. Also included is a pedestrian bridge across the Anchor River and trail from the Silver King campground to the Halibut campground and parking area. Included will be viewing decks, interpretive kiosks, landscaping and visitor amenities.	123.7	2								
			3								
			4			2,600.0					
	Federal			TF	0.0	2,365.2	0.0	0.0	0.0	0.0	
	State				0.0	234.8	0.0	0.0	0.0	0.0	
	Other										
	Project Total				0.0	2,600.0	0.0	0.0	0.0	0.0	0.0
2311	Anchorage: Girdwood - Winner Creek Trail & Trailhead Impr. This will provide a pathway connection in Girdwood along Winner Creek.	81.8	2						50.0		
			4								
	Federal			TE	0.0	0.0	0.0	0.0	45.5	0.0	
	State				0.0	0.0	0.0	0.0	4.5	0.0	
	Other										
	Project Total				0.0	0.0	0.0	0.0	50.0	0.0	350.0
6129	Anchorage: Girdwood Valley - Iditarod Trail Provide a trail connection along the historic Iditarod Trail up Crow Creek Mine Road to Crow Pass.	100.7	2			300.0					
			3					200.0			
			7							10.0	
			4							2,200.0	
	Federal			TE	0.0	272.9	0.0	181.9	0.0	2,010.4	
	State				0.0	27.1	0.0	18.1	0.0	199.6	
	Other										
	NPS Labor										
	Project Total				0.0	300.0	0.0	200.0	0.0	2,210.0	0.0
16040	Arctic Valley Parking & Trailhead Improvements Improve the parking lot and trailhead at Alpenglow Ski Area at Arctic Valley. Sponsor proposes that improvements be similar in nature to McHugh Creek State Wayside. Proposed improvements include trail signage, grading, reshaping, slope stabilization, erosion control, drainage, toilets, parking lot improvements and interpretive kiosk.	94.7	2				200.0				
			3					10.0			
			7							10.0	
			4							1,545.0	
	Federal			STP	0.0	0.0	181.9	9.1	0.0	1,414.6	
	State				0.0	0.0	18.1	0.9	0.0	140.4	
	Other										
	Project Total				0.0	0.0	200.0	10.0	0.0	1,555.0	0.0

Need ID	Project Description/Funding Source	Score	Phse	Apprn	FFY04	FFY05	FFY06	FFY07	FFY08	FFY09	Req'd Funding >6 years	
4012	Barrow: Isatquak Lagoon Boardwalk and Trail Construct approximately one mile of boardwalk in vicinity of school, hospital, park, softball field and lagoon.	115.7	2		100.0							
			3				160.0					
			4					1,110.0				
		Federal		TE	91.0	80.0	850.0	0.0	0.0	0.0		
		State			9.0	0.0	0.0	0.0	0.0	0.0	0.0	
	Other											
	3/80.0; 4/260.0					80.0	260.0					
	Project Total				100.0	160.0	1,110.0	0.0	0.0	0.0	0.0	
7279	Bethel: Chief Eddie Hoffman Highway Separated Pathway Construct a 4.2 mile, separated pathway from the airport to the high school along the north side of the Chief Eddie Hoffman Highway.	189.0	2									
		106.3	3		150.0							
			4			1,955.0						
		Federal		STP	136.5	1,778.5	0.0	0.0	0.0	0.0		
		State			13.5	176.5	0.0	0.0	0.0	0.0	0.0	
	Other											
	Project Total				150.0	1,955.0	0.0	0.0	0.0	0.0	0.0	
12541	Cape Decision Lighthouse Dock and Access Improvements Remove large submerged boulders blocking access to the beach loading point and construct a skid with winch for removing watercraft from the water. Improve pedestrian safety on the large dock extending from the lighthouse by installing pedestrian rail and reconstructing the burned portion of the dock.	112.0	2		40.0	20.0						
			3									
			4					400.0				
		Federal		TE	30.0	18.2	360.0	0.0	0.0	0.0		
		State			0.0	1.8	0.0	0.0	0.0	0.0	0.0	
	Other	2/10.0, 4/40.0										
	Project Total				40.0	20.0	400.0	0.0	0.0	0.0	0.0	
6118	Central Region: ADA Pedestrian Facilities Construct ramp and curb cuts in compliance with ADA at various locations to be determined.	999.0	2									
			4		200.0	200.0	200.0	200.0	200.0	200.0		
		Federal		TE	181.9	181.9	181.9	181.9	181.9	181.9		
		State			18.1	18.1	18.1	18.1	18.1	18.1		
		Other										
	Project Total				200.0	200.0	200.0	200.0	200.0	200.0	0.0	

Need ID	Project Description/Funding Source	Score	Phse	Apprn	FFY04	FFY05	FFY06	FFY07	FFY08	FFY09	Req'd Funding >6 years
2251	Central Region: Winter Trail Marking	999.0	2		50.0	50.0	50.0	50.0	50.0	50.0	
	Mark overland winter trails in the western area of Central Region with permanent trail markers. Trail markers will ensure winter travelers can safely journey between communities in the area.		4		200.0	200.0	200.0	200.0	200.0	200.0	
	Federal			STP	227.4	227.4	227.4	227.4	227.4	227.4	
	State				22.6	22.6	22.6	22.6	22.6	22.6	
	Other										
	Project Total				250.0	250.0	250.0	250.0	250.0	250.0	0.0
7719	Chena Hot Springs Rd: Fairbanks to Chena Hot Springs Trail	87.0	2					200.0			
	Acquire easements for and plat the historic winter trail between Fairbanks and Chena Hot Springs.		3							500.0	
	Federal			STP	0.0	0.0	0.0	181.9	0.0	454.9	
	State				0.0	0.0	0.0	18.1	0.0	45.2	
	Other										
	Project Total				0.0	0.0	0.0	200.0	0.0	500.0	0.0
8619	Chenega Bay: Iktua Bay Trail Construction	83.7	2					50.0			
	Construct a trail from the Chenega Bay Airport to Iktua Bay, approximately 1.3 miles.		3						50.0		
			4							350.0	
	Federal			TE	0.0	0.0	0.0	0.0	0.0	318.4	
	State			0.0	0.0	0.0	0.0	0.0	31.6		
	Other	2/50.0; 3/50.0						50.0	50.0		
	Project Total				0.0	0.0	0.0	50.0	50.0	350.0	0.0
12428	CHSR Chena State Rec Area Ph II	136.5	2		100.0	75.0					
	Construct two waysides in the Chena River State Recreation Area along Chena Hot Springs Road MP 27 and MP 39.5.		4				820.0				
	Federal			STP	90.0	68.2	746.0	0.0	0.0	0.0	
	State				0.0	6.8	74.0	0.0	0.0	0.0	
	Other	2 10 3 60									
	Project Total				100.0	75.0	820.0	0.0	0.0	0.0	0.0
9600	Clam Gulch: Caribou Hills Winter Trailhead	86.8	2					68.0			
	Construct winter trailhead parking area and information kiosk at Mile 117 Sterling Highway for 75 vehicles and trailers. The trailhead would be located within Clam Gulch State Recreation Area and the adjacent highway right of way.		3						200.0		
			7							5.0	
			4							227.0	
	Federal			STP	0.0	0.0	0.0	61.9	181.9	211.1	
	State				0.0	0.0	0.0	6.1	18.1	20.9	
	Other										
	Project Total				0.0	0.0	0.0	68.0	200.0	232.0	0.0

Need ID	Project Description/Funding Source	Score	Phse	Apprn	FFY04	FFY05	FFY06	FFY07	FFY08	FFY09	Req'd Funding >6 years	
2666	Clam Gulch: Clam Gulch Beach Access Improvements	91.8	2									
	Construct improved vehicular and pedestrian access from the Sterling Highway to the beach area for commercial fishing, beach combing and clam digging. Construction of the pedestrian access will require relocating the existing road to one side of the narrow gulch and channelizing the stream flow.		3									
			4								1,270.0	
	Federal			TE	0.0	0.0	0.0	1,155.3	0.0	0.0		
	State				0.0	0.0	0.0	114.7	0.0	0.0		
	Project Total				0.0	0.0	0.0	1,270.0	0.0	0.0	0.0	
15819	Copper River Trail: Urantina River to Cleve Creek with Richardson Hwy. Connector	199.0	2									
	Construct a rail to trail project between the Urantina River and Cleve Creek with a connector to the Richardson Highway via the Tiekel River.		3									
			4		3,540.0							
	Federal			TE	3,220.3	0.0	0.0	0.0	0.0	0.0		
	State				319.7	0.0	0.0	0.0	0.0	0.0		
	Project Total				3,540.0	0.0	0.0	0.0	0.0	0.0	0.0	
3991	Cordova: Bering River Railroad Park	89.3	2					75.0				
	Create railroad park by rehabilitating railroad engine and installing at old railroad; site will be landscaped.		4						150.0			
	Federal			TE	0.0	0.0	0.0	68.2	136.5	0.0		
	State				0.0	0.0	0.0	6.8	13.5	0.0		
	Other	ROW										
	Project Total				0.0	0.0	0.0	75.0	150.0	0.0	0.0	
6618	Cordova: Copper River Hwy - MP 0.0 - 5.5 Pedestrian/Bike Path	189.0	2		275.0							
	Construct a Pedestrian/Bicycle facility along the Copper River Highway from downtown Cordova to the Eyak River.	94.5	3		300.0							
			7			280.0						
			4			2,800.0						
	Federal			STP	523.1	2,801.9	0.0	0.0	0.0	0.0		
State				51.9	278.1	0.0	0.0	0.0	0.0			
	Project Total				575.0	3,080.0	0.0	0.0	0.0	0.0	0.0	
6620	Cordova: Copper River Hwy - MP 5.5 - 10 Pedestrian/Bike Path	83.0	2						150.0	350.0		
	Construct a Pedestrian/Bicycle facility along the Copper River Highway from the Eyak River to 10 mile.		3									
			7									
			4									
	Federal			STP	0.0	0.0	0.0	0.0	136.5	318.4		
State				0.0	0.0	0.0	0.0	13.5	31.6			
	Project Total				0.0	0.0	0.0	0.0	150.0	350.0	400.0	