

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 STRA 1 2 7 7 7

**SEB**

**137**

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 3/23/07

FURTHER: Finance

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Transportation Committee considered SENATE BILL NO. 137

### SB 137 LAND TRANSFERS ALASKA RR & DOTPF

"An Act authorizing two exchanges of land between the Alaska Railroad Corporation and the Department of Transportation and Public Facilities; and providing for an effective date."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

**SENATE BILL:**  
 Same Title  
 New Title

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**HOUSE BILL:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_


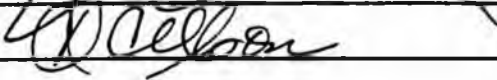
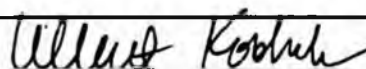
**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
<i>DOT</i>	<i>4/1/07</i>			<input checked="" type="checkbox"/>	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	<i>Wielechowski</i>			<input checked="" type="checkbox"/>	
	<i>Olsen</i>			<input checked="" type="checkbox"/>	
CHAIR: 	<i>Koobesh</i>	<input checked="" type="checkbox"/>			

HB 168  
Rules

SB 137

Mr. Chairman, ~~HB 168~~ authorizes two exchanges of land of approximately 10 acres between the ARRC and DOT in order to accommodate two DOT projects.

The two projects are:

1. The widening and lane improvement of the Parks Highway in Wasilla
2. Construction of Heavy Aircraft Cargo Apron at the Fairbanks International Airport.

Both of these projects Mr. Chairman require adjustments to the RR's track and ROW lands.

This legislation ensures that all the appropriate titles to property can be in place for both of these DOT projects.

Section one to the land exchange for the Parks Highway improvement project

Section two pertains to the land exchange for Cargo Apron at the Fairbanks International Airport.

Mr. Chairman, Alaska Statute 42.40.285 requires legislative approval for the ARRC to "exchange, donate, sell, or otherwise convey its entire interest in land."

To answer specifics regarding these projects, representatives from the DOT and ARRC are here in the audience or online to answer your questions.



## SENATE TRANSPORTATION COMMITTEE

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State Capitol, Room 11  
Juneau AK, 99801-1182  
907-465-6828 (Senate)  
907-465-3424 (House)

To: Senate Transportation Committee Members

From: Albert Kookesh, Chair, Senate Transportation Committee *AK*  
465-6828

Date: April 4, 2007

Re: Senate Transportation Committee Schedule for the week of  
April 9 – 13, 2007  
1:30pm to 3:00pm – State Capitol, Room 205 (Butrovich Room)

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### Tuesday, April 10, 2007

**HB 8:** An Act naming the law enforcement training facility in Fairbanks—the J. Lamm Law Enforcement Training Facility. Sponsor: Representative Jay Ramras

**SB 137:** An Act authorizing two exchanges of land between the Alaska Railroad Corporation and the Department of Transportation and Public Facilities. Sponsor: Senate Transportation Committee

### Thursday, April 12, 2007

**SB 139:** An Act modifying the criteria used to limited liability for certain airfield owners or operators. Sponsor: Senator Donny Olsen

# Alaska State Legislature



## SENATE TRANSPORTATION COMMITTEE

### Senate Bill 137: DOT and RR Land Swap

Senate Bill 137 would authorize the Alaska Railroad Corporation (ARRC) to exchange approximately ten acres of land with the Department of Transportation and Public Facilities (DOTPF) to accommodate two DOTPF projects. The Parks Highway Improvement project in Wasilla and the Heavy Aircraft Cargo Apron project at the Fairbanks International Airport both require an adjustment to the Alaska Railroad's track and right-of-way lands. This legislation ensures that all the appropriate titles to property can be in place for both of these important DOTPF projects.

The Alaska Railroad Corporation Act, Alaska Statute 42.40.285, requires Legislative approval for the ARRC to "exchange, donate, sell or otherwise convey its entire interest in land".

#### **Section 1: Parks Highway Improvement Project**

Section 1 conveys approximately 6.3 acres of ARRC property adjacent to the Parks Highway to DOTPF. The widening and lane improvements to the Parks Highway required relocation of a portion of the Alaska Railroad mainline in the vicinity of Wasilla Lake. DOTPF acquired the necessary property south of the existing 200-foot Alaska Railroad right-of-way. The ARRC was able to relocate its tracks to this property just south of its original alignment. Once the railroad was relocated, DOTPF was able to complete construction of the improvements to the Parks Highway. The project is complete.

#### **Section 2: Fairbanks International Airport Heavy Aircraft Cargo Apron**

Section 2 would convey approximately 3.3 acres of ARRC property to DOTPF to accommodate construction of the new Heavy Aircraft Cargo Apron. Fairbanks International Airport is 43<sup>rd</sup> in the nation for the amount of landed weight, serves nearly a million passengers and has 17 airlines operating at the facility. Replacing the currently inadequate heavy aircraft cargo apron located next to the airport terminal is part of the planned construction upgrade and expansion of the Fairbanks International Airport. Of the four current aircraft parking positions, two interfere with the taxiway and create a potential safety risk. Expansion of the terminal will create additional interference with the third parking position. To eliminate a potential safety hazard and accommodate the airport expansion, the DOTPF is planning to construct a new heavy aircraft cargo apron on ARRC property adjacent to the airport. This proposed land exchange of approximately 3.3 acres will allow for the construction of a heavy aircraft cargo apron that will provide parking for four large cargo planes and be designed to handle the weight and size of the largest cargo planes. DOTPF must have a legally sufficient title interest to property in order to comply with Federal Aviation Administration (FAA) grant assurances and funding participation requirements. Construction of this project will begin this summer.

**SENATE BILL NO. 137**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE TRANSPORTATION COMMITTEE**

**Introduced: 3/23/07**

**Referred: Transportation, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act authorizing two exchanges of land between the Alaska Railroad Corporation  
2 and the Department of Transportation and Public Facilities; and providing for an  
3 effective date."

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

5 \* Section 1. The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 APPROVAL OF THE TRANSFER OF REAL PROPERTY TO THE  
8 DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES. (a) Contingent  
9 upon conveyance to the Alaska Railroad Corporation by the Department of Transportation  
10 and Public Facilities of its entire interest in real property onto which the railroad utility  
11 corridor may be or has been relocated, the Alaska Railroad Corporation is authorized to  
12 convey the corporation's entire interest in approximately 6.3 acres, more or less, of railroad  
13 utility corridor between railroad mileposts 158.8 and 159.6, within Sections 10 and 11,  
14 Township 17 North, Range 1 West, Seward Meridian, to the Department of Transportation

1 and Public Facilities.

2 (b) The conveyance described in this section is made for the purpose of realignment  
3 of the railroad to allow relocation of a portion of the Parks Highway in Wasilla by the  
4 Department of Transportation and Public Facilities to improve highway operations and  
5 enhance safety.

6 (c) The land conveyed by the Department of Transportation and Public Facilities to  
7 the Alaska Railroad Corporation shall be held and managed by the corporation in accordance  
8 with AS 42.40.

9 (d) This section constitutes legislative approval under AS 42.40.285(1) for the Alaska  
10 Railroad Corporation to convey its entire interest in the land described in (a) of this section.

11 \* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 APPROVAL OF THE TRANSFER OF REAL PROPERTY TO THE  
14 DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES. (a) Contingent  
15 upon conveyance to the Alaska Railroad Corporation by the Department of Transportation  
16 and Public Facilities of its entire interest in real property onto which the railroad utility  
17 corridor may be or has been relocated, the Alaska Railroad Corporation is authorized to  
18 convey the corporation's entire interest in approximately 3.331 acres, more or less, of railroad  
19 utility corridor between railroad mileposts H-9.3 and H-10, within Sections 23, 25, and 26,  
20 Township 1 South, Range 2 West, Fairbanks Meridian, to the Department of Transportation  
21 and Public Facilities.

22 (b) The conveyance described in this section is made for the purpose of realignment  
23 of the railroad to allow construction of a heavy aircraft apron and other improvements at the  
24 Fairbanks International Airport by the Department of Transportation and Public Facilities to  
25 improve airport operations and efficiency.

26 (c) The land conveyed by the Department of Transportation and Public Facilities to  
27 the Alaska Railroad Corporation shall be held and managed by the corporation in accordance  
28 with AS 42.40.

29 (d) This section constitutes legislative approval under AS 42.40.285(1) for the Alaska  
30 Railroad Corporation to convey its entire interest in the land described in (a) of this section.

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

## HEAVY AIRCRAFT CARGO APRON

### \*PROJECT DESCRIPTION\*:

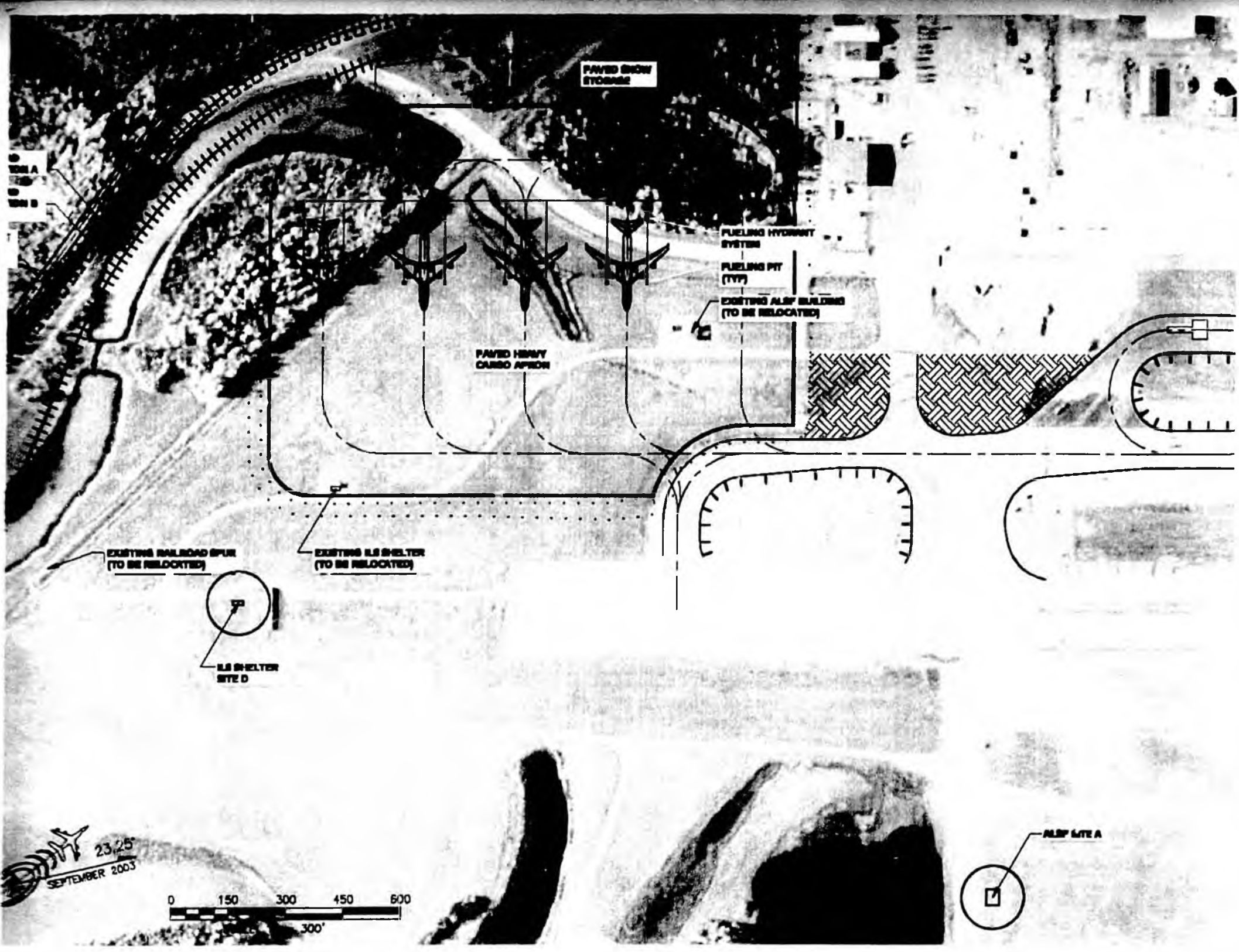
Work under this project will include the design and construction of a new 26.5 acre cargo apron area at the south end of the west ramp and extension of Taxiway "A" approximately 1,000 feet to provide access. The apron will accommodate four B-747 on concrete hardstands. Ancillary work will include the construction of fencing, access roads, snow storage areas and subsurface drainage systems.

### \*PROJECT JUSTIFICATION\*:

Transient heavy aircraft parking is provided on the apron south of the terminal building. Recent inspections of the pavement in this area determined that the apron has reached the end of its design life and requires rehabilitation or total reconstruction. In addition, two of the existing four hardstands penetrate the FAR Part 77 transition surface.

Also, three of the four existing four hardstands will be rendered inoperable this summer due to the southern expansion and construction of the passenger terminal resulting from the Terminal Area Development Project. The remaining old hardstand will be operationally conflicted when during passenger operations on the south end of the passenger terminal.

The project site is in an un-developed area of the airport and it is anticipated that these improvements will permit the private development of underutilized land by providing access to the airside from these properties. This development will expand the potential revenue base for airport operations by opening additional lease acreage, affording warehousing opportunities, and assuring short and long-term heavy aircraft parking.



PAVED SNOW STORAGE

FUELING HYDRANT SYSTEM

FUELING PIT (TYP)

EXISTING ALP BUILDING (TO BE RELOCATED)

PAVED HEAVY CARBO APRON

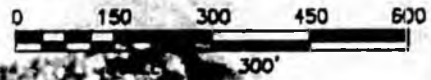
EXISTING RAILROAD SPUR (TO BE RELOCATED)

EXISTING ILS SHELTER (TO BE RELOCATED)

ILS SHELTER SITE D

ALP SITE A

23/25  
SEPTEMBER 2003



**PARKS HIGHWAY - WASILLA**  
**PROJECT SUMMARY STATEMENT**

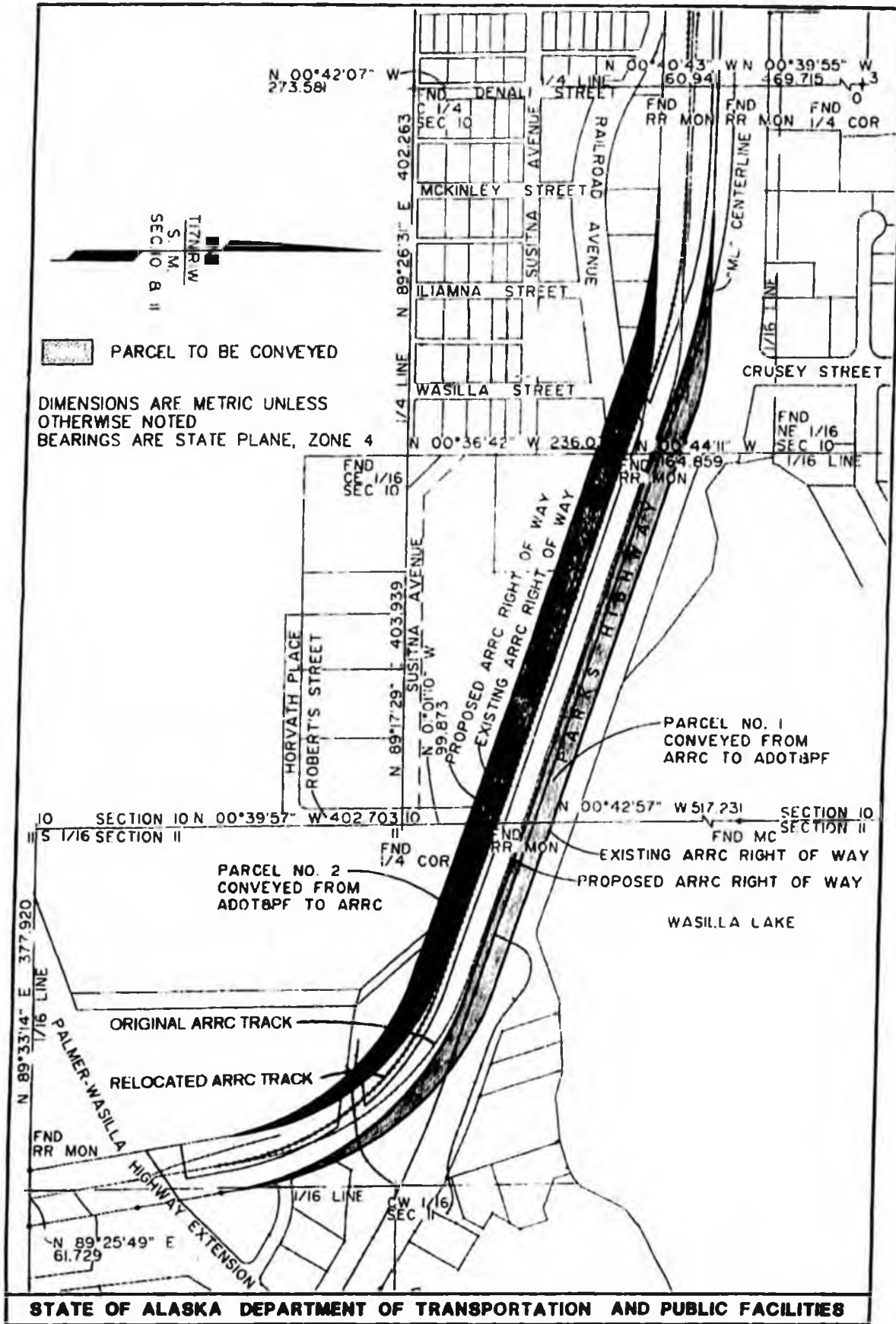
The Parks Highway is a rural interstate highway that provides a connection between the major cities of Anchorage, Wasilla and Fairbanks. This project, located between the intersection with the Glenn Highway and the City of Wasilla, is the primary highway between Anchorage and Wasilla. This portion of the Parks Highway was originally constructed in 1971 and 1972 as a two-lane rural highway. In 1996, the highway was widened between Palmer-Wasilla Highway and Crusey Street to four lanes. This project reconstructed the portion of the Parks Highway between Seward Meridian Parkway and Crusey Street.

The recent project is the third segment of the Parks Highway reconstruction from the Glenn Highway through the City of Wasilla's central business district. This project reconstructed the Parks Highway from Seward Meridian Parkway (Seward Meridian) to Crusey Street. This section of the Parks Highway is located within a commercial district of the City of Wasilla. To be consistent with the adjacent commercial development, the character of the highway changes at Seward Meridian from a high-speed (55 mph) rural highway to an intermediate speed (45 mph) urban highway providing access at specified locations. The project includes frontage roads improved or constructed adjacent to, and parallel with, the Parks Highway, as appropriate for access to adjoining properties.

The Department constructed a five-lane highway: two lanes northbound and two lanes southbound with a median two-way left turn lane. Additional improvements include: reconstructed or new two-lane, two-way, frontage roads; a grade-separated interchange at Seward Meridian Parkway; a continuous pathway on the highway's north side; relocation of approximately  $\frac{3}{4}$  of a mile of railroad track; and highway and intersection illumination. This 3.4 mile segment transitions from the four lane divided highway to the east to a lower-speed segment passing through the center of Wasilla. The Department completed construction of the project in 2006.

The total project cost is approximately \$55,697,000.

# PRELIMINARY



# FISCAL NOTE

**STATE OF ALASKA**  
**2007 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB137-DOT-CO-04-04-07  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: DOT&PF  
 Title Land Transfers Alaska RR & DOTPF RDU Admin and Support (3330)  
 Component Commissioner's Office  
 Sponsor Senate Transportation Committee  
 Requester S TRA Component No. 530

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2007) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill has no financial impact on DOT&PF

Prepared by: Mary Siroky  
 Division: Commissioner's Office  
 Approved by: Leo von Scheben, Commissioner  
 Agency: Department of Transportation and Public Facilities

Phone 465-4772  
 Date/Time 4/4/07 3:50pm  
 Date 4/4/2007

Mr. Chairman, HB 168 authorizes two exchanges of land of approximately 10 acres between the ARRC and DOT in order to accommodate two DOT projects.

The two projects are:

1. The widening and lane improvement of the Parks Highway in Wasilla
2. Construction of Heavy Aircraft Cargo Apron at the Fairbanks International Airport.

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# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 3/23/07

FURTHER: Finance

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Transportation Committee considered SENATE BILL NO. 137

### SB 137 LAND TRANSFERS ALASKA RR & DOTPF

"An Act authorizing two exchanges of land between the Alaska Railroad Corporation and the Department of Transportation and Public Facilities; and providing for an effective date."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
<b>CHAIR:</b>					

ALASKA STATE LEGISLATURE  
SENATE BILL NO. 137

HISTORY IN THE SENATE

2007  
3/23

Read first time and referred to:

TRA, FIN

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
To: \_\_\_\_\_

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
To: \_\_\_\_\_

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
To: \_\_\_\_\_

Read second time

CS( ) Adopted  New Title

Amended \_\_\_\_\_  
 \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

Read third time

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

Reconsideration

Reconsideration not taken up

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed/Rec Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

Engrossed, signed by the President  
Transmitted to the House

Secretary of the Senate

HISTORY IN THE HOUSE

20

Read first time and referred to:

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

Read second time

HCS( ) Adopted  New Title  
HCR No. \_\_\_\_\_

Amended \_\_\_\_\_  
 \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

Read third time

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

Reconsideration

Reconsideration not taken up

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed/Rec Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

Engrossed, signed by the Speaker  
Returned to the Senate

Chief Clerk of the House

# Alaska State Legislature



## SENATE TRANSPORTATION COMMITTEE

### Senate Bill 137: DOT and RR Land Swap

Senate Bill 137 would authorize the Alaska Railroad Corporation (ARRC) to exchange approximately ten acres of land with the Department of Transportation and Public Facilities (DOTPF) to accommodate two DOTPF projects. The Parks Highway Improvement project in Wasilla and the Heavy Aircraft Cargo Apron project at the Fairbanks International Airport both require an adjustment to the Alaska Railroad's track and right-of-way lands. This legislation ensures that all the appropriate titles to property can be in place for both of these important DOTPF projects.

The Alaska Railroad Corporation Act, Alaska Statute 42.40.285, requires Legislative approval for the ARRC to "exchange, donate, sell or otherwise convey its entire interest in land".

#### **Section 1: Parks Highway Improvement Project**

Section 1 conveys approximately 6.3 acres of ARRC property adjacent to the Parks Highway to DOTPF. The widening and lane improvements to the Parks Highway required relocation of a portion of the Alaska Railroad mainline in the vicinity of Wasilla Lake. DOTPF acquired the necessary property south of the existing 200-foot Alaska Railroad right-of-way. The ARRC was able to relocate its tracks to this property just south of its original alignment. Once the railroad was relocated, DOTPF was able to complete construction of the improvements to the Parks Highway. The project is complete.

#### **Section 2: Fairbanks International Airport Heavy Aircraft Cargo Apron**

Section 2 would convey approximately 3.3 acres of ARRC property to DOTPF to accommodate construction of the new Heavy Aircraft Cargo Apron. Fairbanks International Airport is 43<sup>rd</sup> in the nation for the amount of landed weight, serves nearly a million passengers and has 17 airlines operating at the facility. Replacing the currently inadequate heavy aircraft cargo apron located next to the airport terminal is part of the planned construction upgrade and expansion of the Fairbanks International Airport. Of the four current aircraft parking positions, two interfere with the taxiway and create a potential safety risk. Expansion of the terminal will create additional interference with the third parking position. To eliminate a potential safety hazard and accommodate the airport expansion, the DOTPF is planning to construct a new heavy aircraft cargo apron on ARRC property adjacent to the airport. This proposed land exchange of approximately 3.3 acres will allow for the construction of a heavy aircraft cargo apron that will provide parking for four large cargo planes and be designed to handle the weight and size of the largest cargo planes. DOTPF must have a legally sufficient title interest to property in order to comply with Federal Aviation Administration (FAA) grant assurances and funding participation requirements. Construction of this project will begin this summer.

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**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

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**Introduced: 3/23/07**

**Referred: Transportation, Finance**

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15 upon conveyance to the Alaska Railroad Corporation by the Department of Transportation  
16 and Public Facilities of its entire interest in real property onto which the railroad utility  
17 corridor may be or has been relocated, the Alaska Railroad Corporation is authorized to  
18 convey the corporation's entire interest in approximately 3.331 acres, more or less, of railroad  
19 utility corridor between railroad mileposts H-9.3 and H-10, within Sections 23, 25, and 26,  
20 Township 1 South, Range 2 West, Fairbanks Meridian, to the Department of Transportation  
21 and Public Facilities.

22 (b) The conveyance described in this section is made for the purpose of realignment  
23 of the railroad to allow construction of a heavy aircraft apron and other improvements at the  
24 Fairbanks International Airport by the Department of Transportation and Public Facilities to  
25 improve airport operations and efficiency.

26 (c) The land conveyed by the Department of Transportation and Public Facilities to  
27 the Alaska Railroad Corporation shall be held and managed by the corporation in accordance  
28 with AS 42.40.

29 (d) This section constitutes legislative approval under AS 42.40.285(1) for the Alaska  
30 Railroad Corporation to convey its entire interest in the land described in (a) of this section.

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

**SB**

**139**

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 4/18/07

FURTHER:

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 4/27/07

Transportation Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139

### SB 139 LIABILITY FOR AIRPORTS AND AIRSTRIPS

"An Act repealing a limitation on the liability of certain airfield owners or operators."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

**SENATE BILL:**  
 Same Title  
 New Title

---

**HOUSE BILL:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
LAW	4/15/07			✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO NOT PASS	DO NOT PASS	NO REC.	AMEND
	WILKEN	✓			
	COWDERY	✓			
	WIELECHOWSKI	✓			
	OLSEN	✓			
CHAIR:	KOOKRESH	✓			



AIRCRAFT OWNERS AND PILOTS ASSOCIATION

April 17, 2007

Senator Don Olson  
State Capitol, Room 514  
Juneau, AK 99801-1182

Dear Senator Olson:

Thanks for taking up the issue of civil liability on Alaskan airports. The wording of the current statute is convoluted, and has caused considerable confusion among our members who are operating airstrips either on private or public land.

After looking this over, I would recommend eliminating Section 1 (b) of the statute, which seems to be the source of the confusion. This should clarify the intent, which is to provide protection from civil liability for owners of public and private airstrips or others who work to maintain or improve them.

Thank you again for your support of general aviation in Alaska. If you have any other questions or concerns, please do not hesitate to contact me.

Sincerely,

Tom George  
Alaska Regional Representative

---

TOM GEORGE  
ALASKA REGIONAL REPRESENTATIVE  
PERSONAL ADDRESS: P.O. BOX 83750 FAIRBANKS, AK 99708  
907-388-9955 (PHONE) 907-455-9001 (FAX)  
E-MAIL: tom.george@aopa.org

**SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY SENATOR OLSON**

**Introduced:**  
**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act repealing a limitation on the liability of certain airfield owners or operators."**

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

3 **\* Section 1. AS 09.65.093(b) is repealed.**

*Out of Session:*  
Legislative Information Office  
P.O. Box 1630  
Nome, AK 99762-1630  
(907) 443-5555  
(907) 443-2162 (Fax)

# Alaska State Legislature



*In Session:*  
State Capitol  
Juneau, AK 99801-1182  
(800) 597-3707  
(907) 465-3707  
(907) 465-4821 (Fax)

## SENATOR DONALD C. OLSON

### DISTRICT T

Alakanuk  
Ambler  
Anaktuvuk Pass  
Atkasuk  
Barrow  
Brovig Mission  
Browerville  
Buckland  
Chevak  
Deering  
Diomedes  
Elim  
Emmonak  
Gambell  
Golovin  
Hooper Bay  
Kaktovik  
Kiana  
Kivalina  
Kobuk  
Kotlik  
Kotzebue  
Koyuk  
Mountain Village  
Noatak  
Nome  
Noorvik  
Nuiqsut  
Nunam Iqua  
Pilot Station  
Ptka's Point  
Point Hope  
Point Lay  
Savoonga  
Scammon Bay  
Selawik  
Shaktolik  
Shishmaref  
Shungnak  
St. Mary's  
St. Michael  
Stebbins  
Teller  
Unalakleet  
Wainwright  
Wales  
White Mountain

### SPONSOR STATEMENT

#### SSSB 139, Liability for Airports and Airstrips

SSSB 139 is introduced to correct changes to the limited liability statutes for runways, airfields, and landing areas enacted by Chapter 39, SLA 04 that inadvertently negated the purpose and intent of that legislation. The original liability limitation applied to private airstrips and landing areas that are both marked by placement of a large "X" on the ground and are listed as closed in FAA charts and publications.

In the process of enacting Chapter 39, SLA 04, the wording of AS 09.65.093 (b) created confusion as to the requirements an airport owner or operator had to meet to be exempt from liability during time when an airstrip was not actively in use. This was neither the intent of the legislation's sponsors nor the 37 representatives and 20 senators that voted for its enactment.

SSSB 139 resolves the impairment of chapter 39 by deleting the (b) subsection. In this way, SSSB 139 preserves the original intention of AS 09.65.093 to limit the liability for those Alaskans who own, operate, and maintain private airfields and landing strips. These facilities are often essential for transportation to vast areas of the state that lack public access.

(b) This section does not affect the right of a person to receive benefits to which the person would otherwise be entitled under the workers' compensation law or under any pension law, nor does it affect entitlement to any other benefits or compensation authorized by state or federal law. (§ 1 ch 4 SLA 1984)

**Sec. 09.65.092. Civil liability for voluntary aircraft safety inspection.** An aircraft or power plant technician or mechanic certified by the Federal Aviation Administration who participates without compensation in a voluntary aircraft safety inspection program is not liable for civil damage resulting from an act or omission arising out of an aircraft safety inspection in that program unless the act or omission constitutes gross negligence or reckless or intentional misconduct. (§ 1 ch 3 SLA 1982)

**Sec. 09.65.093. Civil liability relating to aircraft runways, airfields, and landing areas.** (a) Except as provided in (c) of this section, a person who without compensation constructs, maintains, or repairs an aircraft runway, airfield, or landing area may not be held civilly liable, except for an act or omission that constitutes gross negligence or recklessness or intentional misconduct, for the injury to or death of a person or for damage to an aircraft, resulting from the use of the runway, airfield, or landing area to take off, land, park, or operate an aircraft.

(b) A person who is the owner or operator of an aircraft runway, airfield, or landing area is not civilly liable, except for an act or omission that constitutes gross negligence or recklessness or intentional misconduct, for the injury to or the death of a person or for damage to an aircraft, resulting from the use or attempted use of the runway, airfield, or landing area to take off, land, park, or operate an aircraft while the runway, airfield, or landing area is

(1) marked as closed by placement of a large "X" on the runway, in accordance with Federal Aviation Administration guidelines; and

(2) listed or charted, and designated as closed in the appropriate aeronautical charts and publications published by the Federal Aviation Administration.

(c) The immunity from civil liability under (a) of this section does not limit the liability of an owner or operator of an aircraft runway, airfield, or landing area to a provider of flight services or its passengers under contract with the owner or operator. (§ 12 ch 56 SLA 2001; am §§ 1, 2 ch 39 SLA 2004)

**Effect of amendments.** — The 2004 amendment, effective Sept. 2, 2004, in subsection (a), substituted "Except as provided in (c) of this section, a person" for "A natural person" at the beginning and inserted "constructs" and "park"; in subsection (b), deleted "natural" preceding "person" and "that is located on private land" near the beginning of the introductory language and inserted "park" near the end of that

language, substituted "on the runway, in accordance with federal Aviation Administration guidelines" or "that is readily visible from the air" in paragraph (1), and inserted "or charted, and designated" in paragraph (2); and added subsection (c).

**Editor's notes.** — Section 16, ch. 56, SLA 2001 provides that this section "applies to a civil action that accrues on or after September 27, 2001."

**Sec. 09.65.095. Liability for administration of blood test.** (a) A civil or criminal action arising out of battery may not be brought against a health care provider for the act of taking a blood sample if the sample is taken

(1) at the request of a police officer under the circumstances specified in AS 28.35.035 or when the arresting officer has a search warrant or court order authorizing the taking of the blood sample; and

(2) without the use of excessive or unreasonable force.

(b) In this section,

(1) "health care provider" means a nurse licensed under AS 08.68, a physician licensed under AS 08.64, and a person certified by a hospital as competent to take blood samples;

(2) "hospital" means a hospital as defined in AS 47.32.900, including a governmentally owned or operated hospital.

# FISCAL NOTE

**STATE OF ALASKA**  
**2007 LEGISLATIVE SESSION**

Fiscal Note Number: SB139-LAW-TWC-4-5-07  
 Bill Version: SB 139  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title An Act relating to liability for airports and airstrips  
 Sponsor SENATOR(S) OLSON  
 Requester SENATE TRANSPORTATION

Dept. Affected: Law  
 RDU Civil  
 Component Torts & Workers Compensation  
 Component No. \_\_\_\_\_

**Expenditures/Revenues**

(Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporar/						

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

The bill would limit liability of an owner or operator of an aircraft runway, airfield or landing area listed or chartered, and designated as private in the appropriate aeronautical charts and publications published by the Federal Aviation Administration. Enactment of the bill is not anticipated to fiscally impact the Department of Law.

Prepared by: Robert Meiners, Admin. Services Manager  
 Division Administrative Services Division  
 Approved by: Robert Meiners for Talis Colberg, Attorney General  
 Agency Department of Law

Phone 465-5427  
 Date/Time 4/5/07 8:10 AM  
 Date 4/5/2007

**SENATE COMMITTEE REPORT**  
**First Committee of Referral**

DATE: 4/18/07

FURTHER:

**Date of 5-Day Notice:** \_\_\_\_\_  
 (in accordance with Uniform Rule 23)

DATE TURNED  
 IN TO OFFICE: \_\_\_\_\_

**Transportation Committee** considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139

**SB 139 LIABILITY FOR AIRPORTS AND AIRSTRIPS**

"An Act repealing a limitation on the liability of certain airfield owners or operators."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>
<input type="checkbox"/> Same Title
<input type="checkbox"/> New Title
<hr/>
<b>HOUSE BILL:</b>
<input type="checkbox"/> Same Title
<input type="checkbox"/> Technical Title Change
<input type="checkbox"/> New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
CHAIR:					

**ALASKA STATE LEGISLATURE**  
**SENATE BILL NO. 139**

**HISTORY IN THE SENATE**

2007  
3/28  
4/18

**Read first time and referred to:**

TRA  
Sponsor sub - TRA

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
To: \_\_\_\_\_

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
To: \_\_\_\_\_

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
To: \_\_\_\_\_

**Read second time**

CS( ) Adopted  New Title

Amended \_\_\_\_\_  
 \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

**Read third time**

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

**Reconsideration**

**Reconsideration not taken up**

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed/Rec Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

**Engrossed, signed by the President  
Transmitted to the House**

Secretary of the Senate

**HISTORY IN THE HOUSE**

20

**Read first time and referred to:**

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
\_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
\_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

**Read second time**

HCS( ) Adopted  New Title  
HCR No. \_\_\_\_\_

Amended \_\_\_\_\_  
 \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

**Read third time**

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

**Reconsideration**

**Reconsideration not taken up**

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed/Rec Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

**Engrossed, signed by the Speaker  
Returned to the Senate**

Chief Clerk of the House

**SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY SENATOR OLSON**

**Introduced: 4/18/07**

**Referred: Transportation**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act repealing a limitation on the liability of certain airfield owners or operators."**

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

3 **\* Section 1. AS 09.65.093(b) is repealed.**

(b) This section does not affect the right of a person to receive benefits to which the person would otherwise be entitled under the workers' compensation law or under any pension law, nor does it affect entitlement to any other benefits or compensation authorized by state or federal law. (§ 1 ch 4 SLA 1984)

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(b) A person who is the owner or operator of an aircraft runway, airfield, or landing area is not civilly liable, except for an act or omission that constitutes gross negligence or recklessness or intentional misconduct, for the injury to or the death of a person or for damage to an aircraft, resulting from the use or attempted use of the runway, airfield, or landing area to take off, land, park, or operate an aircraft while the runway, airfield, or landing area is

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(2) listed or charted, and designated as closed in the appropriate aeronautical charts and publications published by the Federal Aviation Administration.

(c) The immunity from civil liability under (a) of this section does not limit the liability of an owner or operator of an aircraft runway, airfield, or landing area to a provider of flight services or its passengers under contract with the owner or operator. (§ 12 ch 56 SLA 2001; am §§ 1, 2 ch 39 SLA 2004)

**Effect of amendments.** — The 2004 amendment, effective Sept. 2, 2004, in subsection (a), substituted "Except as provided in (c) of this section, a person" for "A natural person" at the beginning and inserted "constructs" and "park"; in subsection (b), deleted "natural" preceding "person" and "that is located on private land" near the beginning of the introductory language and inserted "park" near the end of that

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(2) "hospital" means a hospital as defined in AS 47.32.900, including a governmentally owned or operated hospital.

# Alaska State Legislature



*Out of Session:*  
Legislative Information Office  
P.O. Box 1630  
Nome, AK 99762-1630  
(907) 443-5555  
(907) 443-2162 (Fax)

*In Session*  
State Capitol  
Juneau, AK 99801-1182  
(800) 597-3707  
(907) 465-3707  
(907) 465-4821 (Fax)

## SENATOR DONALD C. OLSON

### DISTRICT T

### SPONSOR STATEMENT

#### SSSB 139, Liability for Airports and Airstrips

Alakanuk  
Ambler  
Anaktuvuk Pass  
Atkasuk  
Barrow  
Brovig Mission  
Browerville  
Buckland  
Chevak  
Deering  
Diomedea  
Elim  
Emmonak  
Gambell  
Golovin  
Hooper Bay  
Kaktovik  
Kiana  
Kivalina  
Kobuk  
Kotlik  
Kotzebue  
Koyak  
Mountain Village  
Noatak  
Nome  
Noorvik  
Nuiqsut  
Nunam Iqua  
Pilot Station  
Pitka's Point  
Point Hope  
Point Lay  
Savoonga  
Scammon Bay  
Selawik  
Shaktoolik  
Shishmaref  
Shungnak  
St. Mary's  
St. Michael  
Stebbins  
Teller  
Unalakleet  
Wainwright  
Wales  
White Mountain

SSSB 139 is introduced to correct changes to the limited liability statutes for runways, airfields, and landing areas enacted by Chapter 39, SLA 04 that inadvertently negated the purpose and intent of that legislation. The original liability limitation applied to private airstrips and landing areas that are both marked by placement of a large "X" on the ground and are listed as closed in FAA charts and publications.

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SSSB 139 resolves the impairment of chapter 39 by deleting the (b) subsection. In this way, SSSB 139 preserves the original intention of AS 09.65.093 to limit the liability for those Alaskans who own, operate, and maintain private airfields and landing strips. These facilities are often essential for transportation to vast areas of the state that lack public access.



April 17, 2007

Senator Don Olson  
State Capitol, Room 514  
Juneau, AK 99801-1182

Dear Senator Olson:

Thanks for taking up the issue of civil liability on Alaskan airports. The wording of the current statute is convoluted, and has caused considerable confusion among our members who are operating airstrips either on private or public land.

After looking this over, I would recommend eliminating Section 1 (b) of the statute, which seems to be the source of the confusion. This should clarify the intent, which is to provide protection from civil liability for owners of public and private airstrips or others who work to maintain or improve them.

Thank you again for your support of general aviation in Alaska. If you have any other questions or concerns, please do not hesitate to contact me.

Sincerely,

Tom George  
Alaska Regional Representative

---

TOM GEORGE  
ALASKA REGIONAL REPRESENTATIVE  
PERSONAL ADDRESS: P.O. Box 83750 FAIRBANKS, AK 99708  
907-388-9955 (PHONE) 907-455-9001 (FAX)  
E-MAIL: tom.george@aopa.org

**S B**

**1 5 8**

# FISCAL NOTE

**STATE OF ALASKA**  
**2007 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB158-DOT-NRF-4-21-07  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: DOT&PF  
 Title Shirley Demientieff Memorial Bridge RDU Facility and Maintenance Operations  
 Component Northern Region Facilities  
 Sponsor Sen. Kookesh  
 Requester S. TRA Component No. 2069

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies	7.5					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>7.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match	7.5					
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>7.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

It is estimated that it will cost \$7.5 for the production and installation of two signs and two posts; one in each direction, designating the bridge as the Shirley Demientieff Memorial Bridge. These signs will not be mounted on the bridge but will be on new posts slightly in advance of the bridge.

Prepared by: Mary Siroky  
 Division: Commissioner's Office  
 Approved by: John MacKinnon  
 Agency: Department of Transportation and Public Facilities

Phone 465-4772  
 Date/Time 4/21/07 2:30 AM  
 Date 4/21/2007

**SENATE COMMITTEE REPORT**  
**First Committee of Referral**

DATE: 4/18/07

FURTHER:

Date of 5-Day Notice: \_\_\_\_\_  
 (in accordance with Uniform Rule 23)

DATE TURNED  
 IN TO OFFICE: \_\_\_\_\_

Transportation Committee considered SENATE BILL NO. 158

**SB 158 SHIRLEY DEMIENTIEFF MEMORIAL BRIDGE**

"An Act designating the bridge on the George Parks Highway directly north of the Alaska Native Veterans' Honor Bridge as the Shirley Demientieff Memorial Bridge."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>
<input type="checkbox"/> Same Title
<input type="checkbox"/> New Title
<hr/>
<b>HOUSE BILL:</b>
<input type="checkbox"/> Same Title
<input type="checkbox"/> Technical Title Change
<input type="checkbox"/> New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
<b>CHAIR:</b>					

**ALASKA STATE LEGISLATURE**  
**SENATE BILL NO. 158**

**HISTORY IN THE SENATE**

2007

4/18

**Read first time and referred to:**

TRA

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
 To: \_\_\_\_\_

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
 To: \_\_\_\_\_

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
 To: \_\_\_\_\_

**Read second time**

CS( ) Adopted  New Title

Amended \_\_\_\_\_  
 \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

**Read third time**

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

**Reconsideration**

Reconsideration not taken up

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed/Rec Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

Engrossed, signed by the President  
 Transmitted to the House

Secretary of the Senate

**HISTORY IN THE HOUSE**

20

**Read first time and referred to:**

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

\_\_\_\_\_ RPT HCS( ) \_\_\_\_\_ NT: HCR \_\_\_\_\_  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN

**Read second time**

HCS( ) Adopted  New Title  
 HCR No. \_\_\_\_\_

Amended \_\_\_\_\_  
 \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

**Read third time**

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

**Reconsideration**

Reconsideration not taken up

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed/Rec Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 EFD same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 CRT same or Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
 \_\_\_\_\_

Engrossed, signed by the Speaker  
 Returned to the Senate

Chief Clerk of the House

### SENATE-HOUSE HISTORY (continued)

20

Version Received from the House:

**Concur in House Amendment**

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] EFD same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] CBR same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] CRT same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

**Failed concur in House amd., ask House recede**

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

**House failed to recede from amendment**

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

CC appointed by Senate \_\_\_\_\_ Chair

CC appointed by House \_\_\_\_\_ Chair

(S) Granted Limited Powers of Free Conference

(H) Granted Limited Powers of Free Conference

20

(S) Adopted CC Rpt \_\_\_\_\_

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] EFD same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] CBR same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] CRT same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

(H) Adopted CC Rpt \_\_\_\_\_

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] EFD same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] CBR same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

[ ] CRT same or Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

**Sent to enrolling**

Received from Enrolling \_\_\_\_\_ Manifest Error

**Sent to Governor**

\_\_\_\_\_ By Governor

Chapter Number \_\_\_\_\_

Filed with Lieutenant Governor

**SENATE BILL NO. 158**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY SENATOR KOOKESH**

**Introduced: 4/18/07**

**Referred: Transportation**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act designating the bridge on the George Parks Highway directly north of the  
2 Alaska Native Veterans' Honor Bridge as the Shirley Demientieff Memorial Bridge."

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

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

5           **Sec. 35.40.205. Shirley Demientieff Memorial Bridge.** The bridge over the  
6 Tanana River on the George Parks Highway directly north of the Alaska Native  
7 Veterans' Honor Bridge is named the Shirley Demientieff Memorial Bridge.



## SENATOR ALBERT M. KOOKESH

ALASKA STATE LEGISLATURE SENATE DISTRICT C

e-mail: [Senator.Albert.Kookesh@legis.state.ak.us](mailto:Senator.Albert.Kookesh@legis.state.ak.us) webmail: [www.akdemocrats.org](http://www.akdemocrats.org)

State Capitol, Room 11

Juneau AK, 99801-1182

907-465-3473

888-288-3473

FAX 907-465-2827

### Sponsor Statement

#### SB 158 "Naming Shirley Demientieff Memorial Bridge"

Senate Bill 158 would name the small bridge in Nenana directly north of the Alaska Native Veterans' Bridge in honor of Shirley Demientieff. Ms. Shirley was a bridge to so many and it is only fitting that this bridge bears her name.

Shirley a Nenana Native Daughter, passed away January 3, 2007 after a year long battle with lung cancer. Shirley was a well known community activist and native Leader. She is best known for her unbridled support for those in need.

It was noted in the January 8, 2007 edition of the *Fairbanks News-Miner*, that Shirley truly was the "bridge over troubled waters for so many. Shirley's gift was to reach out to anyone in need and help guide them to that bridge. In some cases, Shirley took it upon herself to build that bridge, which for some was the only way home." A dear friend stated "Shirley was all about bridges; between cultures, communities and those in need."

The Shirley Demientieff Memorial Bridge will serve as a reminder of her tireless work in bringing people together from all walks of life, for the good of all citizens in this great state of Alaska.

I ask you to support SB 158, and recognize and honor this truly compassionate woman's life.



ALASKA FEDERATION  
OF NATIVES

April 20, 2007

Senate Transportation Committee  
Attention: Senator Albert Kookesh, Chair  
Alaska State Legislature  
State Capitol, Room 11  
Juneau, AK 99801

Dear Senator Kookesh:

RE: SB 158 – Designating the Bridge on the George Parks Highway directly North of the Alaska Native Veterans' Honor Bridge as the Shirley Demientieff Memorial Bridge

On behalf of the Board of Directors of the Alaska Federation of Natives, I am writing to express our support for SB 158. We find it especially fitting to name a bridge in Shirley's honor. As was noted in an editorial appearing in the *Fairbanks News-Miner* on January 8, 2007, "Shirley Demientieff became, through her actions and her strong, proud voice, a bridge between two cultures living in one land. In that she served us all well and will be missed." Shirley was president and founder of Alaska Natives Standing Up for Justice and of the Tanana Valley Search and Recovery, whose volunteers' would search for the missing long after the government agencies had exhausted their resources.

Shirley was widely known for her many contributions to the Fairbanks and Interior communities. She was one of our strongest advocates for suicide prevention. In July 2005, she traveled by riverboat on a suicide prevention mission, visiting and talking to people in villages from Allakaket to Nenana. Her 2-week boat trip along the Koyukuk, Yukon and Tanana rivers ended in Nenana where she grew up and was followed there by a Suicide Prevention Conference. Her life was devoted to service to her community, her family and to the statewide Alaska Native community.

The Shirley Demientieff Memorial Bridge is a wonderful way to honor her life's work. Accordingly, we urge passage of this bill.

Sincerely,

Julie Kitka  
President

**Alaska Native Veteran's Association  
Nenana Post 3  
P.O. Box 26  
Nenana, Alaska 99760**

February 9, 2007

Leo Von Scheben, P.E, LS., MBA  
Commissioner  
3132-Channel Drive  
P.O. Box 112500  
Juneau, Ak. 99811-2500

RE: Shirley Demientieff Bridge Dedication Proposal

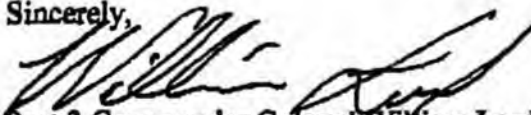
Dear Commissioner Von Scheben

Shirley Demientieff, a Nenana Native Daughter, passed away January 3, 2007 after a yearlong battle with lung cancer. Shirley was well-known community activist and Native leader. Shirley Demientieff is best known for her unbridled support for those in need. People are able to recount story after story after story of times and situations where she helped people.

The January 8, 2007 issue of the Fairbanks News Miner noted that Pat Morgan wrote in the service program, "During Shirley's life, she was the bridge over troubled waters for so many. At times that bridge was grand and easy to cross. But for many that bridge over troubled waters of life was hidden. Shirley's gift was to reach out to anyone in need and help guide him or her to that bridge. In some cases, Shirley took it upon herself to build that bridge, which for some was the only way home."

The Alaska Native Veteran's Association of Nenana, Alaska, Post 3 would like to formally request that the process for dedicating the concrete bridge directly north of the Alaska Native Veteran's Honor Bridge over the Tanana River be initiated. We propose that the bridge be officially named the Shirley Demientieff Memorial Bridge in honor of her selfless endeavors in support of Alaska Native people and all who were less fortunate in their lives. And her work in helping to dedicate The Alaska Native Veteran's Honor Bridge to the Alaska Native Veteran's.

Sincerely,

  
Post 3 Commander Colonel William Lord



# Nenana Native Council

P.O. Box 356  
Nenana, AK 99760

907.832.5461  
Fax 907.832.1077

## Nenana Native Council Resolution 2007-09

WHEREAS, The Alaska Native Veterans Post 3 commander Colonel William Lord has nominated the bridge over the slough next to the Alaska native veterans Bridge in Nenana after Shirley Demientieff pursuant to the attached letter.

NOW THEREFORE, be it resolved the Nenana Native council hereby endorsed the effort and,

NOW THEREFORE BE IT RESOLVED, that this endeavor be forwarded to TCC at its Annual Convention and to Doyon Limited for support.

2/15/07

Mitch Demientieff 1<sup>st</sup>. Chief

Attest By



*"Great Place to camp Between Two Rivers"*

1030 Second Avenue  
Fairbanks 99701  
Friday, March 23<sup>rd</sup>, 2007

To whom it may concern,

Information has come this morning of an effort to nominate the naming of the "slough Bridge" just outside of Nenana as the "Shirley Demientieff Memorial Bridge". It's our understanding that the Alaska Native Veteran's Association, Post #3 of Nenana has proposed and endorsed this nomination; and we are happy/pleased/and honored to second and support this nomination.

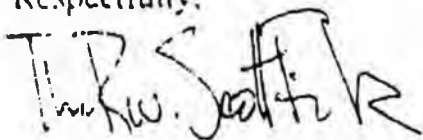
I am a longtime Friend and Supporter of Shirley and, as the rector of St. Matthew's here in Fairbanks, was the celebrant at the Memorial services for Shirley, both here in Fairbanks and in Nenana.

I am the rector of St. Matthew's Episcopal Church, here in Fairbanks, but I am writing as a personal supporter of the nomination, and longtime friend of Shirley, and not as the rector (*being unable to speak for the Church without the endorsement of the Vestry - the "Board of Directors" for the Church; and such action is impossible to receive in so short a time*). I am also not unfamiliar with Nenana, having spent close to 40 years living in the Interior, and visiting Nenana frequently.

Shirley was all about bridges - between cultures and communities and those in need, etc. Naming the bridge after her would be a significant action by the State in recognizing its citizens who have worked to bring us all together, and hold us there; connecting us. This is a very very good and worthy idea. Naming the bridge after Shirley announces to travelers that Nenana is the kind of community that can produce such folk, and that cares.

Thank you for your consideration.

Respectfully,



The Rev. Scott Fisher  
rector, St. Matthew's Episcopal Church  
Fairbanks, Alaska  
[907-456-5235; FAX: 907-456-2934; email: [sfisher@mosquionet.com](mailto:sfisher@mosquionet.com)]

Copy



**Doyon, Limited**

1 Doyon Place, Suite 300  
Fairbanks, Alaska 99701-2941  
(907) 459-2000  
info@doyon.com

RECEIVED

APR 10 2007

Sen. Kookesh's Office

April 3, 2007

Honorable Albert Kookesh  
State of Alaska Senator  
State Capitol, Room 11  
Juneau, Alaska 99801-1182

RE: Letter of Support - Memorial for Shirley Demientieff

Dear Senator Kookesh:

Shirley Demientieff was a champion of the Alaska Native People. She was a well known state-wide activist for her tireless support of those in need.

Shirley passed away in January of 2007 after a courageous year-long battle against cancer. It was noted in the January 8, 2007 edition of the *Fairbanks News-Miner*, that Shirley truly was the "bridge over troubled waters for so many. Shirley's gift was to reach out to those in need and to help guide them to that bridge of help, which for many was the only way home."

It is this helping, leadership role that Doyon, Limited, wishes to memorialize and to inspire the continuation of that future leadership role of caring for others.

Doyon, Limited, formally requests that the bridge which is north of the Alaska Native Veteran's Honor Bridge in Nenana, Alaska, be memorialized as the Shirley Demientieff Memorial Bridge, in honor of this truly compassionate woman. Thank you for your consideration.

Sincerely,

Orie Williams  
President and CEO

cc: Doyon, Limited Board of Directors  
Commissioner Leo Von Scheben, PE, LS, MBA

# Tanana Chiefs Conference

Chief Peter John Tribal Building

122 First Avenue, Suite 600

Fairbanks, Alaska 99701-4897

(907) 452-8251 Fax: (907) 459-3850

**SUBREGIONS** March 21, 2007

**UPPER  
KUSKOKWIM**

McGrath  
Meatra  
Nikolai  
Takatna  
Telida

Senator Albert Kookesh  
Alaska State Capitol, Room 7  
Juneau, Alaska 99801-1182

**LOWER YUKON**

Arvik  
Grayling  
Holy Cross  
Shogeluk

Dear Senator Kookesh,

The Tanana Chiefs Conference is in support of naming the small Bridge in Nenana after the late Ms. Shirley Demientieff of Fairbanks/Nenana.

**UPPER TANANA**

Dof Lake  
Eagle  
Healy Lake  
Northway  
Tanacross  
Tetlin  
Tol

Ms. Demientieff was very involved and cared deeply for the Alaska Native Community. She volunteered on committees or was board member of but not limited to the following:

- Alaska Natives Stand Up for Justice,
- Board member of Doyon, Ltd,
- Fairbanks Native Association,
- Tanana Chiefs Conference Health Board,
- Instrumental in naming the Tanana River Bridge the Alaska Native Veteran's Memorial Bridge
- Traveled to the Yukon River Villages to speak to the Communities about Suicide Awareness and Prevention
- Foster Parent to many Native Children.

**YUKON FLATS**

Arctic Village  
Beaver  
Bear Creek  
Canyon Village  
Chalkyitsik  
Circle  
Fort Yukon  
Venetie

We respectfully request your assistance in the naming of the small Bridge in Nenana after the late Shirley Demientieff.

If you have any questions, please call or write me at the above address.

**YUKON  
KOYUKUK**

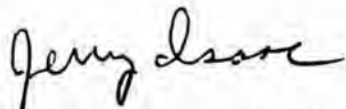
Galena  
Huslia  
Karatag  
Koyukuk  
Nulato  
Ruby

Sincerely,

**YUKON TANANA**

Alatna  
Allakaket  
Evansville  
Fairbanks  
Hughes  
Lake  
Minchumina  
Montley Hot  
Springs  
Mirto  
Nenana  
Rampart  
Stevens Village  
Tanana

**TANANA CHIEFS CONFERENCE**



Jerry Isaac - President and CEO

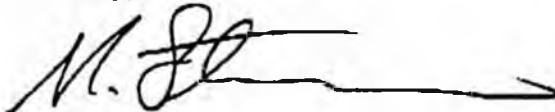
Senate Transportation Committee  
(907) 465-2827

To Whom It May Concern:

I am writing in hopes that you strongly consider naming the bridge on the George Parks Highway after Shirley Demientieff. Shirley Demientieff has been an inspiration to anybody that has ever been in her presence. She will be greatly missed for her diligence in working hard for the everyday people in her community and around the State of Alaska. Having personally known her since I was able to remember, I have seen the many extraordinary things that she was able to accomplish. I believe that honoring the bridge with her name will be a great step and carrying on her legacy and ideals as a person working strongly towards the betterment of society.

I am in strong support of naming the bridge after Shirley Demientieff. Thank you and if you have any questions please do not hesitate to ask.

Sincerely,



Matt Stevens  
Administrative Assistant, Shareholder Relations  
Doyon, Limited  
1 Doyon Pl, Ste 300  
Fairbanks, AK 99701-2941  
(907) 459-2016, *phone*  
(907) 459-2065, *fax*  
[www.doyon.com](http://www.doyon.com)

## **Dawn Head**

1100 28<sup>th</sup> Ave, Fairbanks, Alaska 99701 - 907-479-3670

---

April 20, 2007

Senate Transportation Committee  
Attention: Senator, Albert Kookesh

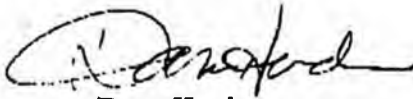
Regarding: SB 158

Dear Senator:

I would like to add my letter of support to those that have already submitted their letters. I believe that to name the portion of the Nenana Bridge after Shirley Demientieff not only honors her as a person but as a native leader in the community and Alaska. Shirley had dedicated her life to her people and in the scheme of Alaskan life it is but a little thing to dedicate a portion of a bridge in return.

Thank you, for your consideration of my letter of support. I look forward to seeing a dedication ceremony that names that portion of the bridge "Shirley Demientieff".

Sincerely,



Dawn Head  
Past Neighbor and friend of Shirley

Senate Transportation Committee  
Fax: (907) 465-2827  
Attention: Senator Kookesh

Dear Senator Kookesh:

We are in support of SB 158, an Act designating the bridge on the George Parks Highway directly north of the Alaska Native Veterans' Honor Bridge as the Shirley Demientieff Memorial Bridge.

Ms. Shirley Demientieff was a well respected Doyon shareholder, as well as an activist for many issues throughout interior Alaska. A monument remembering her contribution serving Alaska is very well-deserving.

Thank you for your consideration,

*Teddy and Eva Edwards*

Teddy and Eva Edwards  
821 Jay Circle  
Anchorage, AK 99504  
(907) 333-2992

To Whom It May Concern:

**SB 158:** An Act designating the bridge on the George Parks Highway directly north of the Alaska Native Veterans' Honor Bridge as the Shirley Demientieff Memorial Bridge.

Shirley Demientieff has meant so many different things to so many different people. That it would be appropriate to recognize her with the naming of this bridge. As in life she was the bridge over troubled waters for so many people. The time and effort she put into organizing search and rescues in so many rural and local communities. This would be a great honor to a great woman.

197

BS

# ALASKA STATE LEGISLATURE

**Session**  
State Capitol Building, Room 125  
Juneau, Alaska 99801-1182  
Phone (907) 465-2995  
Fax (907) 465-6592

**Interim**  
716 West Fourth Avenue, Suite 130  
Anchorage, Alaska 99501  
Phone (907) 269-0250  
Fax (907) 269-0219



**Chair**  
Senate State Affairs  
Administrative Regulation Review

**Member**  
Senate Judiciary Committee  
Senate Resources Committee

**SENATOR LESIL MCGUIRE**

## MEMORANDUM

**To:** Senator Albert Kookesh  
Chair, Senate Transportation Committee

**From:** Senator Lesil McGuire 

**Date:** January 31, 2008

**Re:** Request for hearing, SB 164 – *Used Motor Vehicle Sales*

---

I respectfully request that SB 164 – *Used Motor Vehicle Sales* be scheduled for a hearing at your earliest convenience. Attached you will find the most current version of the resolution, the sponsor statement, and background information.

If you have any questions or concerns please feel free to contact me personally, or my staff, Trevor Fulton at x3579. Thank you for your time and consideration.

# ALASKA STATE LEGISLATURE

**Session**  
State Capitol Building, Room 125  
Juneau, Alaska 99801-1182  
Phone (907) 465-2995  
Fax (907) 165-6592

**Interim**  
716 West Fourth Avenue, Suite 130  
Anchorage, Alaska 99501  
Phone (907) 269-0250  
Fax (907) 269-0219



**Chair**  
Senate State Affairs  
Administrative Regulation Review

**Member**  
Senate Judiciary Committee  
Senate Resources Committee

**SENATOR LESIL MCGUIRE**

## SPONSOR STATEMENT

### SB 164 – Used Motor Vehicle Sales

SB 164 addresses unintended consequences brought about by a recent update to state statutes that govern used motor vehicle sales.

Subsection (c) of AS 45.25.465 requires that all used vehicles for sale by a dealer be stickered with a notice that the vehicle:

- (1) is not subject to Alaska's "lemon law"
- (2) is not covered under a manufactures warranty
- (3) was not manufactured for sale in Canada or another foreign country.

All three of these conditions are unnecessary or redundant in that:

- (1) Alaska's "lemon law" applies only to new vehicles
- (2) the Federal Trade Commission already requires dealers to disclose that the vehicle is not covered under a manufactures warranty
- (3) the Canadian vehicle problem was corrected by the market and is no longer an issue.

While subsection (c) was enrolled with good intentions, it has unfortunately opened the door for baseless and costly class action law suits. Not displaying the sticker is considered an unfair trade practice and thus allows for law suits that demand treble damages and reimbursement of full legal costs, even though consumers have not suffered any actual harm or damages. Furthermore, there is a two year look-back on unfair trade practices, which gives attorneys two years to solicit enough car buyers to eventually justify a class action suite.

Two class action suits of this nature are progressing in the state at this time. Dealerships are still predominantly family owned small businesses and this sort of frivolous litigation could well bankrupt many of them.

By removing unnecessary and harmful language that is of no benefit to dealers, consumers, or the state, SB 164 closes a legal loop-hole that currently allows for ill-founded and potentially very damaging class action suits.

**SENATE BILL NO. 164**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY SENATOR MCGUIRE**

**Introduced: 4/27/07**

**Referred: Transportation, Judiciary**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to disclosures required for the sale of a used motor vehicle, including a**  
2 **trailer, by a motor vehicle dealer."**

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

4 **\* Section 1.** AS 45.25.465(c) is repealed.

5 **\* Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
6 read:

7 **RETROACTIVE APPLICATION.** To the extent allowed by law, sec. 1 of this Act  
8 applies to the sale by a motor vehicle dealer of a used motor vehicle or a current model used  
9 motor vehicle that occurred on or after October 24, 2004, and is retrospective under  
10 AS 01.10.090 to that extent. In this section,

11 (1) "motor vehicle" has the meaning given in AS 45.25.590;

12 (2) "motor vehicle dealer" has the meaning given in AS 45.25.990;

13 (3) "sale" has the meaning given in AS 45.25.990;

14 (4) "used motor vehicle" has the meaning given in AS 45.25.990.