

ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE

May 3, 2004

2:08 p.m.

TAPE(S) 04-22

MEMBERS PRESENT

Senator John Cowdery, Co-Chair

Senator Gene Therriault

Senator Donny Olson

MEMBERS ABSENT

Senator Thomas Wagoner, Co-Chair

Senator Georgianna Lincoln

COMMITTEE CALENDAR

CS FOR HOUSE BILL NO. 272(STA) am

"An Act relating to the advertising of motor vehicles, including trailers, for sale by motor vehicle dealers; relating to the financing of motor vehicle purchases; relating to motor vehicle sales contracts; relating to the disclosures required to be made by motor vehicle dealers when selling motor vehicles, including trailers, or when their service employees work on commission; relating to a motor vehicle dealer's selling as a new or current model vehicle, a motor vehicle required to be registered under AS 28.10; relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of a motor vehicle, including a trailer; relating to a motor vehicle dealer's conditioning the sale and delivery of a motor vehicle, including a trailer, on the buyer's purchase of other items; and relating to the return of a buyer's trade-in by a motor vehicle dealer."

MOVED SCS CSHB 272 (TRA) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 272

SHORT TITLE: MOTOR VEHICLE DEALERS

SPONSOR(S): REPRESENTATIVE(S) WEYHRAUCH

04/16/03	(H)	READ THE FIRST TIME - REFERRALS
04/16/03	(H)	L&C, STA
04/28/03	(H)	L&C AT 3:15 PM CAPITOL 17

04/28/03	(H)	Scheduled But Not Heard
04/30/03	(H)	L&C AT 3:15 PM CAPITOL 17
04/30/03	(H)	Scheduled But Not Heard
05/01/03	(H)	STA AT 8:00 AM CAPITOL 102
05/01/03	(H)	Scheduled But Not Heard
05/05/03	(H)	L&C AT 3:15 PM CAPITOL 17
05/05/03	(H)	Heard & Held
05/05/03	(H)	MINUTE(L&C)
05/07/03	(H)	L&C AT 3:15 PM CAPITOL 17
05/07/03	(H)	<Bill Hearing Postponed to Fri. 5/9/3>
05/09/03	(H)	L&C AT 3:15 PM CAPITOL 17
05/09/03	(H)	Moved CSHB 272(L&C) Out of Committee
05/09/03	(H)	MINUTE(L&C)
05/12/03	(H)	L&C RPT CS(L&C) 6DP 1AM
05/12/03	(H)	DP: LYNN, GATTO, CRAWFORD, DAHLSTROM,
05/12/03	(H)	ROKEBERG, ANDERSON; AM: GUTTENBERG
05/13/03	(H)	STA AT 8:00 AM CAPITOL 102
05/13/03	(H)	Heard & Held
05/13/03	(H)	MINUTE(STA)
05/14/03	(H)	STA AT 8:00 AM CAPITOL 102
05/14/03	(H)	Moved CSHB 272(L&C) Out of Committee
05/14/03	(H)	MINUTE(STA)
05/15/03	(H)	STA AT 8:00 AM CAPITOL 102
05/15/03	(H)	Heard & Held
05/15/03	(H)	MINUTE(STA)
05/16/03	(H)	STA RPT CS(STA)FORTHCOMING 3DP 1NR 3AM
05/16/03	(H)	DP: CRAWFORD, LYNN, WEYHRAUCH;
05/16/03	(H)	NR: HOLM; AM: DAHLSTROM, GRUENBERG,
05/16/03	(H)	SEATON
05/16/03	(H)	STA AT 8:00 AM CAPITOL 102
05/16/03	(H)	Moved CSHB 272(STA) Out of Committee
05/16/03	(H)	MINUTE(STA)
05/17/03	(H)	MOVED TO BOTTOM OF CALENDAR
05/17/03	(H)	CS(STA) RECEIVED
05/17/03	(H)	BEFORE THE HOUSE
05/18/03	(H)	TAKE UP SAME DAY FAILED Y25 N11 E4
05/19/03	(H)	TRANSMITTED TO (S)
05/19/03	(H)	VERSION: CSHB 272(STA) AM
05/19/03	(S)	READ THE FIRST TIME - REFERRALS
05/19/03	(S)	TRA, L&C
05/03/04	(S)	TRA AT 2:00 PM BELTZ 211

WITNESS REGISTER

MS. LINDA SYLVESTER
Staff to Representative Bruce Weyhrauch
Alaska State Capitol

Juneau, AK 99801-1182
POSITION STATEMENT: Presented HB 272.

ACTION NARRATIVE

TAPE 04-22, SIDE A

CO-CHAIR JOHN COWDERY called the Senate Transportation Standing Committee meeting to order at 2:08 p.m. Present at the call to order were Senators Therriault, Olson, and Co-Chair Cowdery.

HB 272-MOTOR VEHICLE DEALERS

The committee took up HB 272.

MS. LINDA SYLVESTER, Staff to Representative Bruce Weyhrauch, testified that the compromise reached has been to take out Section 1 of the bill and replace it with - on page 7, line 3 - instructions to the Department of Law to continue monitoring and investigating the consumer complaint issues on the sale of new cars being sold as used cars. New cars were converted to used cars; they essentially had low-mileage, brand new, but no manufacturer's certificate of warranty. The sponsor's point is that the sale of those vehicles comes under [indisc.] automobile dealer franchiser law. If the attorney general continues to see this as a problem, he can bring the issue back to the Legislature, to deal with at another time.

MS. SYLVESTER said the bill deals with clean-up and minor housecleaning issues that arose from the omnibus legislation that was passed in 2002, HB 182. At that time Representative Lisa Murkowski worked extensively with Representative Andrew Halcro and developed that omnibus legislation with Ed Sniffen. All parties spoke in support of that portion of the legislation last year.

SENATOR THERRIAULT moved to adopt the committee substitute (CS), version S [labeled 23-LS0975\S, Bannister, 4/30/04] as the working document before the committee.

CO-CHAIR COWDERY asked if there was any objection. There being none, it was so ordered.

SENATOR THERRIAULT asked if the text to be deleted on page 4 was from the previous bill.

MS. SYLVESTER said the text was from [HB 182], the omnibus legislation.

SENATOR OLSON asked if anybody was in opposition to the bill.

MS. SYLVESTER responded that last year there were comments opposing Section 1. Those individuals spoke in support of the bill itself.

SENATOR OLSON asked who expressed opposition.

MS. SYLVESTER said the main individual was Mr. Lieberger (ph) from Anchorage who owns a used car dealership, and Mr. Allpine (ph) who is a member of the Alaska Automobile Dealers Association.

The committee took a brief at-ease, at the request of Senator Olson.

CO-CHAIR COWDERY asked for the will of the committee.

SENATOR THERRIAULT moved to report SCS CSHB 272 (TRA) out of committee with individual recommendations and zero fiscal note.

CO-CHAIR COWDERY, upon hearing no objections, announced it was so ordered.

There being no further business to come before the committee, he adjourned the meeting at 2:16 p.m.