

HOUSE CS FOR SENATE BILL NO. 127(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/1/14

Referred: Finance

Sponsor(s): SENATORS GIESSEL, McGuire, Huggins

REPRESENTATIVES Isaacson, Keller, Gattis, Hughes

A BILL

FOR AN ACT ENTITLED

1 **"An Act authorizing the commissioner of administration to enter into agreements with**
2 **agents to perform for compensation certain transactions related to vehicles; relating to**
3 **the duties of those agents; and providing for an effective date."**

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

5 * **Section 1.** AS 28.05 is amended by adding a new section to read:

6 **Sec. 28.05.024. Agreements with agents to perform title and registration**
7 **services.** (a) The commissioner may enter into an agreement with an agent to perform
8 vehicle title and registration services. An agent shall meet the qualifications and
9 requirements set by the department by regulation. The regulations must require, at a
10 minimum, that the agent be bonded, have an Alaska business license under AS 43.70,
11 and have been in existence for a minimum of one year before entering into the
12 agreement with the commissioner. Subject to regulations adopted by the department,
13 the commissioner shall, in the agreement, allow the agent to retain 15 percent of the
14 proceeds, excluding any taxes or fees imposed by a municipality, collected on behalf
15 of the department as compensation under the agreement. The commissioner shall

1 provide in the agreement for regular audits of the agent and penalties for failure to
 2 submit timely the report required by (b)(2) of this section and remit the proceeds to the
 3 department as required by (b)(1) of this section.

4 (b) An agent under (a) of this section shall, as directed in the terms of the
 5 agreement authorized by (a) of this section, transmit to the commissioner

6 (1) the proceeds collected by the agent on behalf of the department,
 7 except the amount the agent is authorized to retain under (a) of this section; and

8 (2) a report of the title and registration services provided by the agent.

9 (c) In this section, "agent" does not include a person who is a state employee
 10 when acting in the capacity of a state employee.

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

13 TRANSITIONAL PROVISIONS: REGULATIONS. The Department of
 14 Administration may adopt regulations necessary to implement the changes made by this Act.
 15 The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
 16 effective date of the law implemented by the regulation.

17 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 18 read:

19 TRANSITIONAL PROVISIONS: AMENDMENT OF EXISTING CONTRACTS.
 20 The Department of Administration shall, if the other party to the contract consents, amend an
 21 existing contract with an agent for title and registration services to allow the agent to retain 15
 22 percent of the proceeds collected as provided in AS 28.05.024, enacted by sec. 1 of this Act.

23 * **Sec. 4.** Sections 2 and 3 of this Act take effect immediately under AS 01.10.070(c).

24 * **Sec. 5.** Section 1 of this Act takes effect July 1, 2014.