

**ALASKA STATE LEGISLATURE**  
**HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE**

January 30, 2024

8:01 a.m.

**MEMBERS PRESENT**

Representative CJ McCormick, Chair  
Representative Kevin McCabe, Vice Chair  
Representative Tom McKay  
Representative Thomas Baker  
Representative Justin Ruffridge  
Representative Rebecca Himschoot  
Representative Donna Mears

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 279

"An Act relating to the Local Boundary Commission; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 182

"An Act relating to abandoned vehicles."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 279

SHORT TITLE: LOCAL BOUNDARY COMMISSION

SPONSOR(S): REPRESENTATIVE(S) CRONK

01/18/24	(H)	READ THE FIRST TIME - REFERRALS
01/18/24	(H)	CRA
01/30/24	(H)	CRA AT 8:00 AM BARNES 124

BILL: HB 182

SHORT TITLE: REMOVAL OF ABANDONED VEHICLES

SPONSOR(S): REPRESENTATIVE(S) RAUSCHER

04/28/23	(H)	READ THE FIRST TIME - REFERRALS
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04/28/23 (H) CRA  
01/30/24 (H) CRA AT 8:00 AM BARNES 124

**WITNESS REGISTER**

REPRESENTATIVE MIKE CRONK  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 279, as the prime sponsor.

DAVE STANCLIFF, Staff  
Representative Mike Cronk  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 279, on behalf of Representative Cronk, prime sponsor.

REPRESENTATIVE GEORGE RAUSCHER  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 182, as the prime sponsor.

RYAN MCKEE, Staff  
Representative George Rauscher  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the sectional analysis for HB 182, on behalf of Representative Rauscher, prime sponsor.

MAURICE HUGHES, Colonel, Director  
Division of Alaska State Troopers  
Department of Public Safety  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 182.

**ACTION NARRATIVE**

[8:01:45 AM](#)

CHAIR MCCORMICK called the House Community and Regional Affairs Standing Committee meeting to order at 8:01 a.m. Representatives McKay, Baker, Ruffridge, Himschoot, Mears, McCabe, and McCormick were present at the call to order.

^#hb279

**HB 279-LOCAL BOUNDARY COMMISSION**

[8:03:54 AM](#)

CHAIR MCCORMICK announced that the first order of business would be HOUSE BILL NO. 279, "An Act relating to the Local Boundary Commission; and providing for an effective date."

[8:04:20 AM](#)

REPRESENTATIVE MIKE CRONK, Alaska State Legislature, prime sponsor, presented HB 279. He shared the sponsor statement [included in committee packets], which read as follows [original punctuation provided]:

House Bill 279 is adding language to existing statute to accomplish three goals.

1. To ensure commissioners appointed from each of the four Judicial Districts actually live and vote in the Judicial District from which they are appointed.
2. To ensure that at least one of the five Commissioners is from the unorganized Borough.
3. To ensure the Local Boundary Commission keeps an updated record of the population of each community in the state.

Note: The effective date is selected so the present LBC makeup is retained until the next LBC seat becomes open. At that time a person from the unorganized borough will be selected.<sup>9</sup>

CHAIR MCCORMICK sought questions from committee members.

[8:05:35 AM](#)

REPRESENTATIVE HIMSCHOOT asked whether the updated population record was an issue.

[8:05:54 AM](#)

DAVE STANCLIFF, Staff, Representative Mike Cronk, Alaska State Legislature, on behalf of Representative Cronk, prime sponsor of HB 279, said he did not know it was an issue. He shared an anecdote in which the community of Tanana was asked to provide data from the U.S. Census Bureau to the Local Boundary Commission (LBC). He reasoned that it would be wise to make

census data available through the LBC rather than burdening communities by requiring them to provide it.

REPRESENTATIVE HIMSCHOOT questioned the language on page 1, line 12 of the bill, which provided that the governor shall designate the chair of the LBC.

MR. STANCLIFF indicated that it was a drafting decision to allow the governor to select the most qualified individual.

REPRESENTATIVE HIMSCHOOT asked how the chair was selected on other boards and commissions.

MR. STANCLIFF shared his understanding that typically, the body at large determines the chair. However, since the LBC was a constitutionally required commission, it was decided that the governor should make that determination, as opposed to the commissioners.

[8:10:03 AM](#)

REPRESENTATIVE MEARS asked whether there had been any discussion with the LBC about the bill and its implications.

MR. STANCLIFF said [the bill sponsor's office] had made contact with the Department of Commerce, Community & Economic Development (DCCED) and asked for feedback. At this time, the department had not communicated any concerns.

REPRESENTATIVE MEARS said she often utilized community data through DCCED, which includes census data. She opined that the requirement for the commission to hold census data seemed like a duplication of effort.

MR. STANCLIFF said he felt that way too until it appeared that [DCCED] needed to receive data from the communities as opposed to another agency.

REPRESENTATIVE MEARS suggested that it would be appropriate for the department to testify at a future hearing.

[8:13:34 AM](#)

REPRESENTATIVE RUFFRIDGE asked whether there was an anticipated cost to maintaining this record.

MR. STANCLIFF responded that there should be no cost, as the data can be sent electronically to the LBC at any time.

REPRESENTATIVE RUFFRIDGE stated, "Them maintaining the record does not require them to use the record." He questioned what would prevent the commission from still requiring communities to obtain their own data. He suggested including language that states, "Maintain for each community a record and then use that record."

MR. STANCLIFF indicated that the bill sponsor preferred an unambiguous approach to statute changes. He added that Representative Ruffridge's comments made sense.

[8:17:24 AM](#)

CHAIR MCCORMICK announced that HB 279 would be held over.  
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[8:17:38 AM](#)

The committee took an at-ease from 8:17 p.m. to 8:19 p.m.

^#hb182

**HB 182-REMOVAL OF ABANDONED VEHICLES**

[8:19:34 AM](#)

CHAIR MCCORMICK announced that the final order of business would be HOUSE BILL NO. 182, "An Act relating to abandoned vehicles."

[8:19:57 AM](#)

REPRESENTATIVE GEORGE RAUSCHER, Alaska State Legislature, prime sponsor, presented HB 182. He shared the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

House Bill 182 is an act which will help eliminate the ever-growing problem the State of Alaska, municipalities, Public Safety Departments, and the Department of Transportation, deal with every day on our state highways.

Each year, hundreds of cars litter the sides of our highways for several reasons. Some are there because they have had an accident, and the owner has not had

their vehicle removed yet. Others are there because they are broken down and the car is not worth towing, in the mind of the owner. Some are abandoned because they were victims of a term called "joy riding", where a stolen vehicle is taken for a ride, and the owner has not come to get it.

After a week or two, or sometimes even a shorter length of time goes by, the vehicle is then vandalized. Parts start to become missing, like the wheels and taillights or pieces of trim. Often, these vehicles are set on fire.

The result is often after many months they are hauled away at the government's expense. That expense is usually larger than a simple tow bill. The owner must be tracked down: DMV must search records, phone calls are made to the last known owner, and multiple letters are sent to the owner, etc. Some owners claim no responsibility as it was stolen (not always reported as such until they are contacted by the State Troopers).

HB 182 puts a quicker end to the unsightliness and requires the last owner to pay for the costs to the state or municipality after the vehicle has been removed from the roadside.

HB 182 would not add any additional cost to the State of Alaska as the same process to contact the owner is used. This legislation instead requires reimbursement funding to the state, something that isn't presently required and often never paid.

I am pleased to offer this legislation and believe it a necessity in keeping our great state a clean place to live.

[8:23:20 AM](#)

RYAN MCKEE, Staff, Representative George Rauscher, Alaska State Legislature, on behalf of Representative Rauscher, prime sponsor, presented the sectional analysis for HB 182 [included in the committee packet], which read as follows [original punctuation provided]:

**Section 1: AS 28.11.010(d)**

This section states that the owner of the vehicle as shown by records of the department is considered responsible for the abandonment of the vehicle and is liable for the removal cost unless

1. The vehicle was abandoned by a person without permission from the owner, OR
2. The identity of the person abandoning the vehicle is established and the abandonment was without the consent of the owner

**Section 2: AS 28.11.030(a)**

Amends section (a) by stating a peace officer or employee authorized by the state or municipality, shall remove an abandoned vehicle within 7 days after the date the vehicle is abandoned under AS 28.11.020(a) or may remove or have removed to a place for storage of an abandoned vehicle

**Section 3:**

Adds a new section stating that the amended sections 1 and 2 of this Act, apply to vehicles abandoned on or after the effective date of this Act.

[8:24:30 AM](#)

REPRESENTATIVE RAUSCHER shared a personal anecdote about abandoned vehicles in Cooper Landing.

CHAIR MCCORMICK sought questions from committee members.

[8:27:07 AM](#)

REPRESENTATIVE MCCABE asked why the fiscal note was so big and why, for example, four technicians were being added.

[8:28:09 AM](#)

MAURICE HUGHES, Colonel, Director, Division of Alaska State Troopers, Department of Public Safety (DPS), stated that the funds to remove abandoned vehicles are pulled from three different departments. Should the bill pass as drafted, he said the job would fall solely on DPS.

REPRESENTATIVE MCCABE asked whether there were contracts in place to enable towing companies to move abandoned vehicles off the road first.

COLONEL HUGHES explained that it was handled differently throughout the state. Some towing companies refuse to remove abandoned vehicles due to the associated costs. Other times abandoned vehicles are removed from the scene and DPS or Department of Transportation & Public Facilities (DOT&PF) incur the costs of towing, HAZMAT [hazardous materials], and the salvage. In response to a follow up question, he confirmed that there was contention between the state and local boroughs in terms of who bore the responsibility for abandoned vehicles.

REPRESENTATIVE MCCABE suggested that for rural roads, transferring the responsibility to boroughs could lower the DPS fiscal note.

[8:33:19 AM](#)

REPRESENTATIVE MEARS sought to clarify whether the bill only applied to state roads.

REPRESENTATIVE RAUSCHER answered yes.

REPRESENTATIVE MEARS surmised that the bill would compel Alaska State Troopers (AST) to tow vehicles that were left on state roads, such as Muldoon Road, for several weeks while awaiting heavy snow to melt or while the owner was on vacation.

REPRESENTATIVE RAUSCHER said he was in favor of amendments that would lengthen the time period for major highways or speed up the process.

REPRESENTATIVE MEARS sought clarification on the language in Section 2, paragraph (2) providing for the removal of a vehicle abandoned on private property.

REPRESENTATIVE RAUSCHER said he did not know. He offered to follow up with the requested information. He further noted that the language in question was "may" as opposed to "shall."

[8:38:08 AM](#)

REPRESENTATIVE BAKER shared an example of vehicles being towed and abandoned at commercial shops, which were private property, leaving the shop owners liable.

[8:39:24 AM](#)

REPRESENTATIVE HIMSCHOOT asked how much time it takes to conduct research and whether existing staff time was being dedicated to this particular problem.

COLONEL HUGHES said currently, there was no staff dedicated to conducting background checks and maintaining a list, which was previously done in collaboration with DOT&PF. He described the duties that would be prescribed to the new positions.

REPRESENTATIVE HIMSCHOOT asked why it was taking weeks and months to deal with each vehicle.

COLONEL HUGHES acknowledged that part of the problem was the lack of dedicated staff, in addition to the lack of funding for this specific duty. In response to a follow up question, he indicated that law enforcement's response to abandoned vehicles varied across the state, but the goal was the same.

[8:43:18 AM](#)

REPRESENTATIVE RUFFRIDGE asked how many vehicles were removed on an annual basis.

REPRESENTATIVE RAUSCHER said he did not know the answer.

REPRESENTATIVE RUFFRIDGE, citing the fiscal note, highlighted the 669 vehicles towed by DPS annually at an average cost of \$425. He asked Colonel Hughes to speak to that number.

COLONEL HUGHES said he did not know the answer, suggesting that it was a conglomeration of all removed vehicles.

[8:45:46 AM](#)

REPRESENTATIVE MCCABE expressed an interest in finding out how many abandoned vehicles were removed by area. He shared his belief that this issue was not the trooper's "bailiwick," adding that the state should not be absorbing this cost.

[8:47:35 AM](#)

REPRESENTATIVE RUFFRIDGE questioned the enforcement tools at law enforcement's disposal to ensure that abandoned vehicle fees were paid.

COLONEL HUGHES said the law for abandoning vehicles was a misdemeanor; however, he explained that it was often difficult to find the owner.

[8:49:14 AM](#)

REPRESENTATIVE MCKAY questioned what would happen if a car was stolen and abandoned.

REPRESENTATIVE RAUSCHER responded if the vehicle was reported as stolen and found by a trooper, the owner would be contacted, and charges of theft could then be filed.

[8:52:12 AM](#)

CHAIR MCCORMICK thanked the bill sponsor for addressing this issue and attested to its relevance in Bethel. He suggested that an amendment could be drafted to offer more leniency for communities that lacked sufficient resources to deal with abandoned vehicles.

REPRESENTATIVE RAUSCHER said he was willing to entertain all amendments.

[8:56:30 AM](#)

REPRESENTATIVE MCCABE suggested that the bill would benefit from an understanding of how [Anchorage, Fairbanks], and Juneau handle abandoned vehicles to inform the committee's decisions moving forward.

[8:57:34 AM](#)

CHAIR MCCORMICK announced that HB 182 would be held over.  
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[8:58:34 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 8:59 a.m.