

Introduced: 4/23/80
Referred: Commerce

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 SENATE BILL NO. 576

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of collection agen-
7 cies and continuing the existence of the Collection
8 Agency Board; and providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 08.03.010(c) is amended by adding a new paragraph to
11 read:

12 (2) Collection Agency Board (AS 08.24.011) -- June 30, 1984.

13 * Sec. 2. AS 08.24.011 is amended to read:

14 Sec. 08.24.011. COLLECTION AGENCY BOARD. There is created the [A]
15 Collection Agency Board consisting of five members, four of whom shall
16 be appointed by the governor as follows: one certified public accountant
17 licensed in the state, one person [. THE BOARD SHALL CONSIST OF TWO
18 PERSONS] engaged in the collection agency business in [WITHIN] the state
19 and licensed under this chapter, and two public members. The fifth
20 [THIRD] member shall be designated by the commissioner of commerce and
21 economic development from his staff. [TWO MEMBERS SHALL BE PUBLIC
22 MEMBERS IN ACCORDANCE WITH AS 08.01.025.]

23 * Sec. 3. AS 08.24.021 is amended to read:

24 Sec. 08.24.021. APPOINTMENT AND TERM OF OFFICE. The board members
25 shall be appointed initially for terms of two and three years respec-
26 tively. Thereafter, appointments to the board shall be made upon the
27 expiration of the initial appointment and the term of office for each
28 member [SO APPOINTED] shall be three years. The members shall serve at
29 the pleasure of the governor and may serve no more than two consecutive

1 terms. Vacancies caused by death, resignation or removal from office
2 shall be filled by appointment by the governor.

3 * Sec. 4. AS 08.24.100(b) is amended to read:

4 (b) The [ANNUAL] operator's license shall be renewable biennially
5 [ON OR BEFORE JULY 1 OF EACH SECOND YEAR BEGINNING ON JULY 1, 1968] and
6 the biennial fee is \$300 [\$100].

7 * Sec. 5. AS 08.24.110(a)(8) is amended to read:

8 (8) pay the biennial license fee which is fixed at \$300
9 [\$100].

10 * Sec. 6. AS 08.24.120(a) is amended by adding a new paragraph to read:

11 (5) three credit references and a credit report from a credit
12 bureau.

13 * Sec. 7. AS 08.24.150(a) is amended to read:

14 (a) The bond provided for in AS 08.24.140 shall be a surety bond
15 in the sum of \$10,000 [\$5,000], executed by the applicant, as principal,
16 and by a corporation which is licensed or authorized to transact busi-
17 ness of fidelity and surety insurance within the state as surety. The
18 bond shall contain the name of the collection agency which a license is
19 being applied for and shall be executed in trust for the State of Alaska.
20 The department may at any time request verification of a bonding agent's
21 authority by the main office of any company acting as surety.

22 * Sec. 8. AS 08.24.150(b) is amended to read:

23 (b) A licensee may, at any time, file with the department a new
24 bond. A licensee may in lieu of a bond make a \$10,000 [\$5,000] cash
25 deposit with the department, the deposit to be held by the department
26 under the same terms and conditions as if bond in that amount were
27 posted.

28 * Sec. 9. AS 08.24.280(f) is amended to read:

29 (f) No collection agency, or an employee of a collection agency,

1 may intentionally make a false entry in the collection agency record or
2 intentionally mutilate, destroy or otherwise dispose of a record within
3 the time limits provided in this section. The records shall at all
4 reasonable times be open for inspection by the department [, THE BOARD]
5 or its [THEIR] authorized agent.

6 * Sec. 10. AS 08.24.370 is amended to read:

7 Sec. 08.24.370. NONRESIDENTS. A nonresident may apply for and
8 receive a collection agency license or an operator license or both on
9 the same basis as a resident. The application fee for a nonresident
10 operator license is \$100, and the biennial license fee is \$300 [\$200].
11 The application fee for a nonresident agency license is \$200, and the
12 biennial license fee is \$400 for the principal place of business and
13 \$400 for each branch office.

14 * Sec. 11. AS 44.62.330(a) is amended by adding a new paragraph to read:

15 (47) Collection Agency Board (AS 08.24.011).

16 * Sec. 12. AS 08.03.010(b)(3); AS 08.24.110(a)(1), 08.24.110(a)(3),
17 08.24.120(a)(2), 08.24.160, 08.24.180, and 08.24.200(a) are repealed.

18 * Sec. 13. This Act takes effect June 30, 1980.

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