

HB

394

State of Alaska

House Majority Leader

COMMITTEES

HOUSE JUDICIARY

HOUSE RULES

HOUSE STATE AFFAIRS

SPECIAL COMMITTEE

MILITARY AND VET. AFFAIRS

LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.

District 11

Spenard, Upper Midtown Anchorage

P.O. Box V
JUNEAU, AK 99811
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(SESSION)

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MEMORANDUM

TO: Senator Drue Pearce
Chair, Senate Labor and Commerce Committee

FROM: Representative Max Gruenberg *Max*

DATE: April 16, 1992

RE: Scheduling of HB 394

I would appreciate it if you would schedule HB 394, "An Act Relating to Notaries; and providing for an effective date." as soon as possible.

HB 394 deals with several important notary issues: (1) it would require all notaries to use a rubber stamp instead of the embossed seal; (2) it would require notaries to keep a journal; (3) it would require the notary's expiration date to be included with the information already required on the seal. (4) it sets out, disqualifications of a notary, and requirements under AS 44.50. (5) it requires a notary to return papers to the Lieutenant Governor if a the notary dies, resigns, is disqualified, removed from office, or permanently moves from the state.

If you have any questions, please call me or Stan Robbins, my Chief of staff, at ext.4968.

Thank you for your consideration.

FISCAL NOTE

No. 1
 Bill Version: CSHB 394(L&C)
 (H) Publish Date: 2/14/92

STATE OF ALASKA
 1992 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Office of the Governor
 Title: "An Act relating to
notaries public;..." BRU: Executive Operations
 Sponsor: _____ Component: Office of the Lt. Governor
 Reqaustor: Governor COMPONENT SERIAL NO.

0	0	1	1
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	n/a	n/a	n/a	n/a	n/a	n/a
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact

Prepared By: Michael Nizich, Director Phone: 465-3616
 Division: Division of Administrative Services Date: 12-26-91
 Approved by Commissioner: D. Max Hodel, Chief of Staff
 Agency: Office of the Governor Date: 1/20/92

COMMITTEE COPY

ALASKA STATE LEGISLATURE
HOUSE BILL NO. 394

HISTORY IN THE HOUSE

HISTORY IN THE SENATE

1992
1-14 Read first time and referred to:
L & C, Jud

2/14 L&C RPT CS(L&C) New Title
3 DP DNP NR AM
FN OFN Previous FN

4/6 JLD RPT CS(L&C) New Title
5 DP DNP NR AM
FN OFN Previous FN

 RPT CS() New Title
 DP DNP NR AM
 FN OFN Previous FN

4/14 Read second time
CS(L&C) Adopted

Amended

4/14 Advanced

4/14 Read third time

Return to second for specific amendment

4/14 PASSED EFD Same or
Yeas 38 Yeas
Nays Nays
Excused Excused
Absent Absent

 Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

 Intent adopted

4/14 Reported correctly engrossed
Signed by Speaker, to the Senate

Krista Green
Chief Clerk of the House

1992
4/15 Read first time and referred to:
L&C, Jud

 RPT() CS DP NR DNP AM
 New Title Same Title Previous FN
 FN OFN To

 RPT() CS DP NR DNP AM
 New Title Same Title Previous FN
 FN OFN To

 RPT() CS DP NR DNP AM
 New Title Same Title Previous FN
 FN OFN To

 Rules Calendar() CS AM Other
 New Title Same Title Previous FN
 FN OFN

Read second time

 CS Adopted () New Title
 Amended Advanced

Read third time

 Letter of Intent adopted
 Return to second for specific amendment

PASSED EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to the House

Secretary of the Senate

Huycke General Agency

2904 Boniface Parkway
Anchorage, Alaska 99504

April 22, 1992

907-338-0491



FAX 907-338-7234

(5) L+C
bill file
received
4/27/92

Honorable Senator Rick Halford
P.O. Box V
Juneau, Alaska 99811

Re: CS 394 (L&C)

Dear Senator Halford:

I wish to register my violent opposition to this bill. The original proposal was bad enough, but the newest revision is terrible.

I have been a notary public since 1976, solely to notarize the paper work required by the Alaska Division of Insurance. We are a small mom and pop organization with my husband holding the required licenses. Before I applied and received my notary in 1976, it was determined that I could notarize my husband's signature on the required papers for the Division of Insurance. The new bill would effectively deny my right to notarize his signature.

The journal requirements along with the new requirements in Section I will be more than time-consuming. To date in 1992 I have notarized approximately 200 signatures. Knowing they are all for the State of Alaska, have not kept a journal, feeling that if necessary to prove, the Division of Insurance has all the originals, plus copies. Can you imagine the paper work and time involved in handling close to 1,000 notaries per year.

Please do whatever you can to kill this bill.

Very truly yours,

Jane S. Huycke

Jane S. Huycke



A Nonprofit
Educational Organization

NATIONAL NOTARY ASSOCIATION®

8236 Remmet Ave., P.O. Box 7184, Canoga Park, CA 91304-7184
Telephone: (818) 713-4000, FAX: (818) 713-0842

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RAYMOND C. ROTHMAN
Founder

April 23, 1992

Honorable Drue Pearce
Chairman, Labor and Commerce Committee
Alaska State Senate
State Capitol
Juneau, AK 99811

RE: Committee Substitute for House Bill 394

Dear Senator Pearce:

On behalf of the National Notary Association, a nonprofit educational organization serving the nation's 4.2 million Notaries Public, I applaud the recent introduction of Committee Substitute for House Bill 394, a proposal requiring each Notary to keep a journal of his or her notarial acts.

Keeping a journal record of one's official acts is not only a prudent, businesslike practice, but protects the public by providing valuable documentary evidence of a notarization should memory fail or should an original document become altered or misplaced.

A journal may also preclude a baseless lawsuit by showing that the Notary did use reasonable care or that a transaction did occur as recorded.

The bill additionally requires Notaries to use only seals that are black-inking stamps -- a provision favored by document recorders to simplify the microfilming process.

As the nation's clearinghouse for information on Notary laws, customs and practices, we welcome your questions. Please let us know if we can be of service.

Sincerely,

A handwritten signature in cursive script that reads 'Charles N. Faerber'.

Charles N. Faerber
Vice President, Legislation

CNF:ecs

cc: Honorable John B. Coghill
Lieutenant Governor