

HB

290

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 25, 1998

FURTHER REFERRALS:

Date of Committee Action: 3/5/98

The **FINANCE** Committee considered:

HB 290

HOUSE BILL NO. 290

LICENSE PLATES: RANCHES, FARMS, AND DAIRY

"An Act relating to motor vehicle license plates for ranchers, farmers, and dairymen."

recommends it be replaced with the following committee substitute

CS HB 290 (TRA)

the same title
 a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dep)

APPROVES PREVIOUS: (Dep/Date)

fiscal note(s) _____

fiscal note(s) Admin 2/25/98

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Tom Theriault</i>	Theriault	X			
<i>Mark Hanley</i>	Hanley			X	
<i>Edon Mulvan</i>	Mulvan			X	
<i>Tony Martin</i>	Martin	X			
<i>Rich Kohring</i>	Kohring	X			
<i>John J. Davies</i>	J. Davies			X	
<i>Ben Grussendorf</i>	Grussendorf			X	
<i>Charles E. Moses</i>	Moses			X	
<i>John G. Davis</i>	G. Davis			X	
<i>John Foster</i>	Foster	X			
<i>John Kelly</i>	Kelly				

CO

CHAIN'S SIGNATURE

Tom Theriault *Mark Hanley*

FISCAL NOTE

No: 1

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL Bill Version: CSHB 290
(H) Publish Date: 2/25/98

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act relating to motor vehicle license plates for ranchers, farmers, and dairymen" BRU: Motor Vehicles
 Component: Field Services
 Sponsor: Representative Green
 Requestor: (H) TRANS COMPONENT SERIAL NO. 2151

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES () Revenue Code	()	()	()	()	()	()
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
TOTAL	0	0	0	0	0	0

Estimate of current year (FY 98) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary) This bill will allow corporations to register a vehicle using the farm and dairymen exemption. Currently farm vehicle registration fees are \$68 00 biennially. The fee for a corporation to register a vehicle is \$100 to \$400 biennially. This bill has the potential of loss of general fund revenue. DMV is not able to determine the loss of revenue as it is not determined how many vehicles will meet the exemption and qualify for farm vehicle status under this bill.

Prepared By Juanita M Hensley Phone 465-5648
 Division Motor Vehicles Date 2/19/98
 Approved by Commissioner *Mark Boyer* Date 2/18/98
 Agency Mark Boyer Des: of Administration

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Representative Joe Green
District 10

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& SOCIAL SERVICES COMMITTEE
MEMBER RESOURCES COMMITTEE
FINANCE SUBCOMMITTEES
DEPT OF COMMERCE & ECONOMIC
DEVELOPMENT
ALASKA COURT SYSTEM

Sponsor Statement

HB 290 - License plates for farmers, ranchers, and dairymen

HB 290 clarifies that a person - defined in AS 01.10.060 to include a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person - is eligible for agricultural plates issued by DMV.

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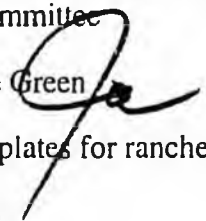


CHAIRMAN JUDICIARY COMMITTEE
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& SOCIAL SERVICES COMMITTEE
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DEVELOPMENT
ALASKA COURT SYSTEM

Representative Joe Green
District 10

TO: Representative Gene Therriault, Co-Chairman
Representative Mark Hanley, Co-Chairman
House Finance Committee

FR: Representative Joe Green 

RE: HB 290 - License plates for ranchers, farmer, and dairymen

DATE: February 24, 1998

By request, I have introduced HB 290, which has been referred to your committee. HB 290 clarifies the definition of a person.

I would appreciate a hearing on HB 290 at the earliest convenience.

Thank you.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

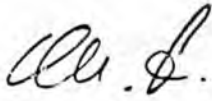
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 12, 1997

SUBJECT: Farm vehicle license plates - (Work Order No. 20-LS0567)

TO: Representative Joe Green
Attn: Kristy

FROM: Michael F. Ford 
Legislative Counsel

You have asked if a vehicle registered to a corporation or company would qualify for farm plates under AS 28.10.181. By registering as a commercial vehicle (either corporate or company) as opposed to registration to an individual, I believe you would not qualify for farm plates under existing law. Under AS 28.10.181, the person seeking the farm plates must "reside full-time" on the farm. The use of the term "person" in this context would indicate that "person" is limited to an individual and would not include a corporation or a company owned vehicle.

Please contact me if you have further questions.

MFF:glc
97-094.glc

STATE OF ALASKA

201 242 2242 7.02

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

TONY KNOWLES, GOVERNOR

RONALD L. OTTE, Commissioner

2150 East Dowling Road
Anchorage, Alaska 99507-1997
PHONE: (907) 269-5551

January 7, 1997

Mosesian Farms of Alaska Inc
13700 Specking Rd
Anchorage AK 99515

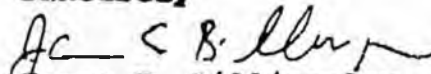
Plate #: 3828FA
SERIAL #: 1GCGG39Y9SF226686
RE: PLATE ERROR

Our records show that you were issued Farm Plates in error. Vehicle(s) titled in a business or company name are considered commercial vehicle(s) and are to be register commercially.

You will need to return your plates to one of the DMV offices or mail them to the above address and the correct plates will be issued. The correct fee for renewal is \$86 registration and \$88 MVRT for a total of \$174, since you have paid \$35 the amount due came to \$139. If returning plates by mail please enclosed a check for \$139, if you come into one of the DMV offices the additional fee will be collected at that time.

I'm enclosing a 30 day temporary permit to allow you use the vehicle will this matter is being taken care of.

Sincerely



James E. Billingsley, MVR IV/AFO

circumstances that are inconsistent with the intent required under (a) of this section to remain a resident of this state. (§ 1 ch 67 SLA 1983)

NOTES TO DECISIONS

Jurisdiction over divorce action. — This section does not affect the common-law rule that Alaska courts have jurisdiction over a divorce action when one of the parties is domiciled in Alaska, where

"domicile" is defined as physical presence plus an intent to remain permanently *Perito v. Perito*, 756 P.2d 895 (Alaska 1988).

Sec. 01.10.060. Definitions. In the laws of the state, unless the context otherwise requires,

- (1) "action" includes any matter or proceeding in a court, civil or criminal;
- (2) "daytime" means the period between sunrise and sunset;
- (3) "month" means a calendar month unless otherwise expressed;
- (4) "municipality" means a political subdivision incorporated under the laws of the state that is a home rule or general law city, a home rule or general law borough, or a unified municipality;
- (5) "nighttime" means the period between sunset and sunrise;
- (6) "oath" includes affirmation or declaration;
- (7) "peace officer" means
 - (A) an officer of the state troopers;
 - (B) a member of the police force of a municipality;
 - (C) a village public safety officer;
 - (D) a United States marshal or deputy marshal; and
 - (E) an officer whose duty it is to enforce and preserve the public peace;
- (8) "person" includes a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person;
- (9) "personal property" includes money, goods, chattels, things in action, and evidences of debt;
- (10) "property" includes real and personal property;
- (11) "real property" is coextensive with land, tenements, and hereditaments;
- (12) "signature" or "subscription" includes the mark of a person who cannot write, with the name of that person written near the mark by a witness who writes the witness's own name near the name of the person who cannot write; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names to the sworn statement;
- (13) "state" means the State of Alaska unless applied to the different parts of the United States and in the latter case it includes the District of Columbia and the territories;
- (14) "writing" includes printing. (§ 4 ch 62 SLA 1962; am § 2 ch 66 SLA 1965; am § 10 ch 117 SLA 1968; am § 19 ch 74 SLA 1985; am § 1 ch 60 SLA 1990)

Revisor's notes. — Reorganized in 1985 to alphabetize the defined terms.

Cross references. — For additional definition of "peace officer", see AS 11.81.900(b); for listing of peace officers for purposes of the Fish and Game Code, see AS 16.06.150; for a definition of "police officer", see AS 18.65.290.

Effect of amendments. — The 1990 amendment rewrote paragraph (7).

Opinions of attorney general. — The statutory framework of the Alaska Statutes viewed as a whole contemplates that for any publicly employed law enforcement officer to be considered a peace officer within the meaning of present paragraph (7), he or she must be empowered with a full range of police duties and authority and must be currently function-

ing on essentially a full-time basis in that role. September 18, 1977, Op. Att'y Gen.

Law enforcement officers within the category "peace officers" as used in present paragraph (7) include, but are not limited to, state troopers, fish and wildlife protection officers and police officers employed by police departments of incorporated municipalities. September 18, 1977, Op. Att'y Gen.

Law enforcement officers with limited police authority with respect to specific statutes or ordinances are not police officers and are not necessarily peace officers either, at least within the meaning of present paragraph (7). September 18, 1977, Op. Att'y Gen.

Comparing the classification of "peace officer" in present paragraph (7) with that of "police officer," it is apparent that police officers, as defined in AS