

HB

81

SENATE COMMITTEE REPORT

DATE: 4/20/05

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Judiciary Committee considered CS FOR HOUSE BILL NO. 81(L&C)

HB 81 CONTRACTOR LICENSE ENFORCEMENT

"An Act establishing an administrative fine and procedure for construction contractors in certain circumstances; increasing the amount of a civil penalty for persons acting in the capacity of contractors or home inspectors; modifying the elements of a crime involving contractor registration and residential contractors; modifying the exemptions from regulation under AS 08.18 for contractors; and exempting the administrative hearings for imposing an administrative fine on construction contractors from the hearings conducted by the office of administrative hearings in the Department of Administration."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:

- Same Title
- New Title

SCS House Bill:

- Same Title
- Technical Title Change
- New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Signature]</i>			X	
<i>[Signature]</i>			X	
<i>[Signature]</i>			X	
<i>[Signature]</i>			X	
<i>[Signature]</i>				
CHAIR: <i>[Signature]</i>				

AMENDMENT

OFFERED IN THE SENATE

TO: SCS CSHB 81(L&C)

1 Page 4, line 16, following "labor":

2 Delete "and materials and all other items is less than \$5,000"

3 Insert "[AND MATERIALS AND ALL OTHER ITEMS] is less than \$7,500
4 [\$5,000]"

5

6 Page 4, line 18:

7 Delete "work"

8 Insert "labor [WORK]"

9

10 Page 4, line 19:

11 Delete "\$5,000"

12 Insert "\$7,500 [\$5,000]"

SENATE CS FOR CS FOR HOUSE BILL NO. 81(L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 4/20/05
Referred: Judiciary

Sponsor(s): REPRESENTATIVES ANDERSON, Crawford

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing an administrative fine and procedure for construction contractors
2 in certain circumstances; increasing the amount of a civil penalty for persons acting in
3 the capacity of contractors or home inspectors; modifying the elements of a crime
4 involving contractor registration and residential contractors; modifying the exemptions
5 from regulation under AS 08.18 for contractors; and exempting the administrative
6 hearings for imposing an administrative fine on construction contractors from the
7 hearings conducted by the office of administrative hearings in the Department of
8 Administration."

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

10 * Section 1. AS 08.18.117 is amended to read:

11 Sec. 08.18.117. Issuance of citations. Except as provided in AS 08.18.125,
12 either [EITHER] the Department of Commerce, Community, and Economic

1 Development or the Department of Labor and Workforce Development may issue a
 2 citation for a violation if there is probable cause to believe a person has violated this
 3 chapter with respect to contractor activities. The Department of Commerce,
 4 Community, and Economic Development may issue a citation for a violation if there is
 5 probable cause to believe a person has violated this chapter with respect to home
 6 inspection activities. Each day a violation continues after a citation for the violation
 7 has been issued constitutes a separate violation.

8 * **Sec. 2.** AS 08.18 is amended by adding a new section to read:

9 **Sec. 08.18.125. Administrative fine and procedure.** (a) Notwithstanding
 10 any other remedy available under this chapter and except as provided in (c) of this
 11 section, the department may impose an administrative fine of not more than \$1,000 for
 12 the first violation and not more than \$1,500 for a second or subsequent violation of
 13 either AS 08.18.011 or 08.18.025.

14 (b) The department shall issue a written notice of an administrative fine
 15 imposed under (a) of this section, together with a statement of the reason for the fine, a
 16 copy of the applicable procedures, and notice of an opportunity to request a hearing,
 17 including the contact information for making the request, within 30 days after the date
 18 of the notice of the fine.

19 (c) If a person who is issued a notice of an administrative fine under (b) of this
 20 section fails to request a hearing within 30 days after the date of the notice, the right to
 21 a hearing is waived and the administrative fine is not subject to judicial review. A
 22 hearing request must be in writing and must clearly state the issues to be raised at the
 23 hearing. The department shall schedule a hearing before a hearing officer not earlier
 24 than 10 days after receiving the request for a hearing.

25 (d) A decision of a hearing officer under this section is a final administrative
 26 decision subject to review by a superior court under AS 44.62 (Administrative
 27 Procedure Act).

28 (e) The department may not impose an administrative fine on a person who is
 29 acting as a contractor or home inspector in an area with a population of 1,000 or less
 30 that is not connected by road or rail to Anchorage or Fairbanks.

31 * **Sec. 3.** AS 08.18.131 is amended to read:

1 **Sec. 08.18.131. Injunction; civil penalty.** In an action instituted in the
 2 superior court by the Department of Commerce, Community, and Economic
 3 Development or the Department of Labor and Workforce Development, the court may
 4 enjoin a person from acting in the capacity of a contractor in violation of this chapter.
 5 In an action instituted in the superior court by the Department of Commerce,
 6 Community, and Economic Development, the court may enjoin a person from acting
 7 in the capacity of a home inspector in violation of this chapter. In addition to other
 8 relief, the court may impose a civil penalty of not more than \$1,000 [\$250] for each
 9 violation. Each day that an unlawful act continues constitutes a separate violation.

10 * **Sec. 4.** AS 08.18.141 is repealed and reenacted to read:

11 **Sec. 08.18.141. Violations.** (a) A contractor or a person acting in the
 12 capacity of a contractor is guilty of a class B misdemeanor if the person

13 (1) knowingly violates AS 08.18.011 or 08.18.025; and

14 (2) has been previously

15 (A) convicted of violating AS 08.18.011 or 08.18.025;

16 (B) found guilty of a violation under AS 08.18.117 if the
 17 violation involved AS 08.18.011 or 08.18.025; or

18 (C) fined under AS 08.18.125.

19 (b) A contractor or a person acting in the capacity of a contractor who violates
 20 a provision of this chapter, other than a violation under (a) of this section, is guilty of a
 21 violation punishable under AS 12.

22 (c) Criminal prosecution for a violation of this chapter does not preclude the
 23 Department of Commerce, Community, and Economic Development or the
 24 Department of Labor and Workforce Development from seeking available civil or
 25 administrative remedies.

26 * **Sec. 5.** AS 08.18.161 is amended to read:

27 **Sec. 08.18.161. Exemptions.** To the extent that this chapter governs
 28 contractors, this chapter does not apply to

29 (1) an authorized representative of the United States government, the
 30 State of Alaska, or a political subdivision or agency of the state;

31 (2) an officer of a court when acting within the scope of office;

1 (3) a public utility operating under the regulations of the public service
2 commission in construction, maintenance, or development work incidental to its own
3 business;

4 (4) a construction, repair, or operation incidental to the discovering or
5 producing of petroleum or gas, or the drilling, testing, abandoning, or other operation
6 of a petroleum or gas well or a surface or underground mine or mineral deposit when
7 performed by an owner or lessee;

8 (5) the sale or installation of finished products, materials, or articles of
9 merchandise that are not actually fabricated into and do not become a permanent,
10 fixed part of a structure;

11 (6) construction, alteration, or repair of personal property;

12 (7) a person who only furnished materials, supplies, or equipment
13 without fabricating them into, or consuming them in the performance of, the work of
14 the contractor;

15 (8) work on one project under one or more contracts, ~~the aggregate~~
16 contract price of which for labor and materials and all other items is less than \$5,000; ^{out} ~~\$7,500~~
17 this exemption does not apply when the work is only a part of a larger or major
18 operation, whether undertaken by the same or a different contractor, or when the work ^{labor}
19 is divided into contracts of amounts less than \$5,000 for the purpose of evasion of this
20 chapter or otherwise; this exemption does not apply to a person who advertises or puts ^{\$}
21 out a sign or card or other device that might indicate to the public that the person is a ⁷⁵⁰⁰
22 contractor, or that the person is qualified to engage in the contracting business; a
23 contractor who performs work priced at \$2,500 or more, under this exemption, shall
24 nevertheless keep in force public liability and property damage insurance with
25 coverage in at least the amounts set out in AS 08.18.101;

26 (9) an owner who contracts for a project with a registered contractor;

27 (10) a person working on that person's own property, whether occupied
28 by the person or not, and a person working on that person's own residence, whether
29 owned by the person or not;

30 (11) an owner or tenant of commercial property who uses the owner's
31 or tenant's own employees to do maintenance, repair, and alteration work upon that

1 property;

2 (12) an owner who acts as the owner's own contractor and in doing so
3 hires workers on an hourly basis, hires subcontractors, purchases materials and, as
4 such, sees to the paying for all labor, subcontractors, and materials; in this case, the
5 owner shall be limited to construction of one home, duplex, triplex, four-plex, or one
6 commercial building every two years [A YEAR];

7 (13) a person performing construction work incidental to farming,
8 dairying, agriculture, horticulture, stock or poultry raising, mining, logging, fishing,
9 clearing, or other work upon the land in rural districts for fire prevention purposes, or
10 access road building, unless the person is a licensee.

11 * Sec. 6. AS 44.64.030(a)(6) is amended to read:

12 (6) AS 08 (occupational licensing), other than AS 08.08,
13 AS 08.18.125, and AS 08.62.046;

14 * Sec. 7. The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 APPLICABILITY. (a) AS 08.18.125, 08.18.131, and 08.18.141, as added or
17 amended by secs. 2 - 4 of this Act, apply to a violation occurring on or after the effective date
18 of this Act. However, for the purposes of AS 08.18.141, a previous conviction or fine may
19 have occurred before, on, or after the effective date of this Act.

20 (b) AS 08.18.161(12), as amended by sec. 5 of this Act, applies to contract work
21 begun on or after the effective date of this Act.

22 * Sec. 8. The uncodified law of the State of Alaska is amended by adding a new section to
23 read:

24 REVISOR'S INSTRUCTION. The amendment to AS 44.64.030(a)(6) by sec. 6 of this
25 Act is to be reconciled with secs. 82 and 96, ch. 163, SLA 2004, so that both are given effect.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT FOR HB 81 BY: Representative Tom Anderson

TITLE: "An Act establishing an administrative fine and procedure for construction contractors in certain circumstances; increasing the amount of a civil penalty for persons acting in the capacity of contractors or home inspectors; modifying the elements of a crime involving contractor registration and residential contractors; and exempting the administrative hearings for imposing an administrative fine on construction contractors from the hearings conducted by the office of administrative hearings in the Department of Administration."

Under current law, the State of Alaska investigates and enforces violations of construction contractor laws. Both the Department of Labor and Commerce and the Department of Community & Economic Development have authority to pursue violations of work performed by unregistered construction contractors. For the most part, they rely upon the public complaints, and follow up with investigations (depending on the availability of resources). Under current laws, these agencies enforce violation by issuing citations. After a citation is issued, the impetus falls to the Department of Law as to whether or not to prosecute the matter in Court.

With over 1,600 unregistered contractors operating under this exemption, numerous reports have been made about these unregistered businesses offering construction services in violation of the laws. Enforcement efforts have proven to be difficult and many consumers are unaware their contractor may not be qualified to provide construction services, and even worse, have little or no insurance and warranty protections.

HB 81 would amend the law to allow the Department of Labor and the Department of Commerce Community & Economic Development to issue civil penalties for violations. Instead of going through the Dept. of Law, a violator would either pay a fine (proposed at \$1,000 for the first violation and \$1,500 for subsequent violations) or appeal to an administrative hearing officer. This system would be much more effective toward penalizing first-time violations quickly and effectively. The Departments would retain the option of going through the current criminal violation process if the fines did not deter a violator.

A loophole in the contractor exemption statutes that allowed small contracting companies to operate without a license has also been closed. Previously an individual could file for an exemption and build a residential or commercial property every year. Under HB 81 the time limit between buildings is raised to 2 years. I urge your support for this legislation.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 81(L&C)
 (H) Publish Date: 2/2/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
 Title Contractor License Enforcement RDU Occupational Licensing (117)
 Component Occupational Licensing
 Sponsor Anderson
 Requester House Labor and Commerce Component No. 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Par.-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 81 establishes an administrative fine and procedure for construction contractors in certain circumstances. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Administrative Manager Phone (907) 465-2144
 Division Occupational Licensing Date/Time 1/21/05 2:31 PM
 Approved by: Edgar Blatchford, Commissioner Date 1/21/2005
 Agency Commerce, Community & Economic Development

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 81(L&C)
 (H) Publish Date: 2/2/05

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Contractor License Enforcement RDU: Labor Standards and Safety
 Component: Mechanical Inspection
 Sponsor: Representative Anderson
 Requester: House Labor and Commerce Component Number: 346

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Worker Safety Account)						
Other (Worker Safety Account)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: None

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill proposes to establish a civil administrative fine to allow for an alternative to the current criminal penalty for contractor licensing violations. Criminal penalties are difficult to pursue for contractor licensing violations. The standard of proof and the formality required in the investigation process are much higher in a criminal case and the District Attorney must agree to pursue the case to achieve a penalty. When weighed against other criminal violations competing for the District Attorney's time, licensing violations are generally a low priority and may not be prosecuted. The administrative civil fine is expected to provide a more efficient means of enforcement. The fiscal impacts of the administrative fine and hearing process are not expected to be significant and will be absorbed at current funding levels. The administrative fines are expected to produce unrestricted General Fund revenues. The specific amount of revenue cannot be accurately estimated.

Prepared by: Grey Mitchell, Director Phone: (907) 465-4855
 Division: Labor Standards and Safety Date/Time: 1/20/05 1:23 PM
 Approved by: Greg O'Claray, Commissioner Date: 1/20/2005
 Agency: Department of Labor and Workforce Development

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

Sectional Analysis for HB 81 BY: Representative Tom Anderson

Section 1. Amends AS 08.18.117. Adds: **Except as provided for in AS 08.18.125** either removes [Either]. This change allows the Departments to also issue administrative fines as well as citations.

Section 2. Adds a new section to AS 08.18

AS 08.18.125

- (a) Allows the Department to impose a \$1000 fine for a first offense and a \$1500 fine for all subsequent offenses against a person who violates AS 08.18.011 or 08.18.025
- (b) The Department must issue a written notice of the fine as well as the reason, a copy of the applicable procedures and notice for an opportunity to request a hearing. The hearing must be made within 10 days after the notice on the fine
- (c) If the Department receives a hearing request within 10 days of the fine being noticed a hearing must be scheduled no earlier than 10 days after the request is made
- (d) The decisions of the hearing officer is final subject to review by a superior court
- (e) A fine may not be imposed on a contractor or home inspector operating in an area with a population of less than 1000 people that is not connected to Anchorage or Fairbanks by rail or road

Section 3. Amends AS 08.18.131. Adds: **\$1,000** and removes [\$250]
This change increases the amount a superior court may fine a person from \$250 to \$1000.

Section 4. Adds language to the previous statute to include contractors who have been previously convicted of violations or who have been fined. Also makes all other violations of this chapter punishable under chapter 12

Section 5. AS 44.64.030 (a) is amended Adds: **AS 08.18.125**
Changes the contractor licensing exemption for people building personal use buildings to add a limit of two years between buildings.

Section 6. AS 44.64.030(a)(6) is amended Adds: **AS 08.18.125,**
Places the Administrative Hearings created in Section 2 of the bill under the jurisdiction of the Office of Administrative Hearings

Section 7. Adds to the uncodified law of the State of Alaska. Violations discussed in Sections 2-4 of this bill apply after the effective date of this Act. Section 4 is retroactive.

Section 8. Revisor's note. The changes made in Section 5 of this bill must be rectified with Secs. 82 and 96 ch. 163 SLA 2004 so that both are given effect

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS

LABOR & COMMERCE COMMITTEE, CHAIRMAN
ADMINISTRATION REGULATION REVIEW COMMITTEE, CHAIRMAN
JUDICIARY COMMITTEE, VICE-CHAIR

website: <http://www.akRepublicans.org/Anderson.htm>



INTERIM
716 WEST 4TH AVENUE
ANCHORAGE, AK 99501
PHONE: (907) 269-0265
FAX: (907) 269-0264

SESSION:
STATE CAPITOL
JUPITER, AK 99601-1182
PHONE: (907) 465-4939
1-800-465-4939
FAX: (907) 465-2418

Representative Tom Anderson

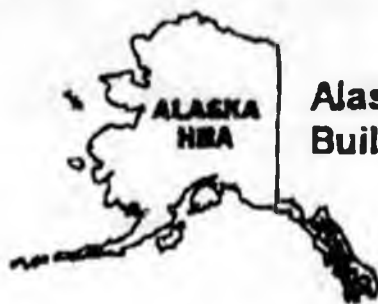
email: Representative_Tom_Anderson@legis.state.ak.us

Changes made to HB 81 in S(L&C)

Section 5 Amends AS 08.18.161 (12)

Changes the contractor license exemption from two years of occupancy with a hardship exemption to just every two years.

- This change was made to address concerns brought up in Senate L&C from various owner builders.



**Alaska State Home
Building Association**

8311 Schoon, Ste 200
Anchorage, Alaska 98518

A Resolution of the Alaska State Homebuilding Association (ASHBA) in Support of legislation to issue civil penalties against first-time violations by unregistered construction contractors

WHEREAS the Division of Occupational Licensing reports that there are over 1,600 business licenses for construction contractors who are not registered to perform construction projects over \$5,000; and

WHEREAS unregistered contractors are not required by state law to obtain general liability insurance or meet educational standards that are required for registered contractors; and

WHEREAS many builders and consumers have reported incidences where unregistered contractors are offering construction services in violation of state law; and

WHEREAS prosecution of violations by unregistered must done by the Department of Law through criminal procedures under current law; and

WHEREAS the Department of Law often gives a low priority to prosecuting these types of violations in consideration of budget restraints and the pursuit of more serious criminal violations; and

WHEREAS enforcement officers within the Department of Labor and/or the Department of Community & Economic Development could be given the authority to issue a civil penalty against first-time violations of construction contract laws;

BE IT THEREFORE RESOLVED that the ASHBA supports legislation to allow enforcement officers within the Department of Labor and/or the Department of Community & Economic Development to have the authority to issue civil penalties for first-time violations of construction contract laws by unregistered contractors, and

BE IT FURTHER RESOLVED that the ASHBA Board of Directors requests the Alaska Legislature to sponsor and pass such legislation during the 2005 Legislative Session.

Adopted, this the 29th day of October 2004.

Signed:

Rob Hamilton
President

Attest:

[Signature]
Past President

Vanessa Tondini

From: Rep. Lesil McGuire
Sent: Tuesday, February 08, 2005 2:37 PM
To: Vanessa Tondini
Subject: FW: HB81

From: Dave Kerr [mailto:Dave_Kerr@ci.juneau.ak.us]
Sent: Thursday, February 03, 2005 11:43 AM
To: Rep. Lesil McGuire
Subject: HB81

Lesil,
Please support HB81
David Kerr, CBJ Building Inspector III

2/8/2005

Jon S. Bittner

From: Rep. Tom Anderson
Sent: Monday, February 07, 2005 4:57 PM
To: Jon S. Bittner
Subject: FW: House Bill 81

From: boost empire [mailto:boost79i@yahoo.com]
Sent: Monday, February 07, 2005 3:14 PM
To: Rep. Lesil McGuire
Cc: Rep. John Coghill; Rep. Nancy Dahlstrom; Rep. Max Gruenberg; Rep. Les Gara; Rep. Tom Anderson; Rep. Pete Kott
Subject: House Bill 81

Dear Representatives-

It has come to my attention that House Bill 81 is going to have a hearing on Wednesday, February 9th, 2005. House Bill 81, enforcement actions against unlicensed contractors is of great importance to me in that it affects my business on a daily basis. There are roughly 400 unlicensed "handymen" operating in the Anchorage area who refuse to get permits, refuse to stand by their warranty claims and who refuse to be straightforward with the owner as to what insurance they do or do not carry. We are constantly being called to repair their work after the fact. It is absolutely crucial that the owner/builder definition be redefined and that handymen be required to be licensed and treated as a specialty contractor across the state. This levels the playing field. I urge you to support the passage of House Bill 81.

Thank You,

N. Claiborne Porter, Jr.
NCP Design/Build LTD

Do you Yahoo!?
Yahoo! Search presents - Jib Jab's 'Second Term'

Lines of Business:

23 - Construction - Total under this code: 7,099 as of January, 2004

		Business Activity TTL % of 23 Code						
CONSTRUCTION (Six digit code requires an occupational license)		In AK	% of Total	Outside AK	% of Total	Total	Construction	Cross chk
2331	Land Subdivision, etc. (exempt no occ license required)	113	1.59%	7	0.10%	120	1.69%	120
233200	General Contractors	948	13.35%	39	0.55%	987	13.90%	987
233300	General Contractors (excluding residential)	1074	15.13%	312	4.39%	1386	19.52%	1386
Specialty Contractors								
234100	Road Construction	89	1.25%	13	0.18%	102	1.44%	102
234900	Construction but 234900 not a true code	5	0.07%	5	0.07%	10	0.14%	10
235100	Plumbing Heating and Air	244	3.44%	12	0.17%	256	3.61%	256
235200	Painting and Wall Covering	227	3.20%	19	0.27%	246	3.47%	246
235300	Electrical Contractors	235	3.31%	24	0.34%	259	3.65%	259
235400	Masonry, Drywall, Insulation, Tile Carpentry & Floor	305	4.30%	19	0.27%	324	4.56%	324
235500	Carpentry & Floor	810	11.41%	24	0.34%	834	11.75%	834
235600	Roofing, Siding and Sheet Metal	101	1.42%	18	0.23%	117	1.65%	117
235700	Concrete Contractors	89	1.25%	9	0.13%	98	1.38%	98
235800	Water Well Drilling	53	0.75%	1	0.01%	54	0.76%	54
235900	plaster, welding, gas tank and sewer systems, etc.)	479	6.75%	120	1.69%	599	8.44%	599
235991	Underground Storage Tank Workers	3	0.04%	2	0.03%	5	0.07%	5
2360	Construction-related EXEMPT from contractor registration.	1678	23.64%	19	0.27%	1697	23.90%	1697
2300	Entry Error; nonexistent code	1	0.01%	0	0.00%	1	0.01%	1
Blanks	No Entry	3	0.04%	1	0.01%		0.06%	4
Totals:		6457	90.96%	642	9.04%	7099	100.00%	7099

Josh Applebee

From: Sally Saddler [sally_saddler@commerce.state.ak.us]
Sent: Wednesday, January 19, 2005 11:57 AM
To: Josh Applebee
Cc: Bill J Rolfzen
Subject: List of Communities
Attachments: PopListforRepAnderson 011905.xls

Hi Josh!

Bill Rolfzen has pulled together the attached list of communities you requested.

This list is our best estimate of the communities that "are" and "are not" connected by road or rail to Anchorage or Fairbanks. The list is sorted by *No* and *Yes* and *Population*. You can change your population cutoff thresholds as you play with this!. The Community list was pulled from our community database which includes Alaska Native Village Statistical Areas (ANVSAs), Census Designated Places (CDPs), Incorporated Cities, and Incorporated Boroughs.

Let me know if you need additional info!

Sally Saddler
Department of Commerce, Community & Economic Development
PO Box 110800
Juneau, AK 99811.0800
Phone: 907.465.2503
Fax: 907.465.5442
Email: sally_saddler@commerce.state.ak.us

Community	2003 Population	On Road or Rail to Anchorage or Fairbanks
Afognak	0	N
Alpine	0	N
Belkofski	0	N
Bill Moore's Slough	0	N
Chuloonawick	0	N
Council	0	N
Cube Cove	0	N
Ekuk	0	N
Flat	0	N
Hamilton	0	N
Kaguyak	0	N
Kanatak	0	N
King Island	0	N
Mary's Igloo	0	N
Napaimute	0	N
Ohogamiut	0	N
Paimiut	0	N
Pauloff Harbor	0	N
Port William	0	N
Umkumiute	0	N
Unga	0	N
Woody Island	0	N
Hobart Bay	1	N
Telida	2	N
Georgetown	3	N
Ivanof Bay	3	N
Prudhoe Bay	4	N
Prudhoe Bay	4	N
Solomon	4	N
Pope-Vannoy Landing	10	N
Thom's Place	11	N
Chisana	12	N
Excursion Inlet	12	N
Ugashik	12	N
Meyers Chuck	18	N
Alatna	21	N
Evansville	21	N
Rampart	21	N
Port Clarence	22	N
Lake Minchumina	23	N
Attu Station	24	N
Karluk	24	N
Halibut Cove	25	N
Beluga	26	N
Shemya Station	27	N
Wiseman	29	N
Kupreanof	30	N
Elfin Cove	32	N
Bettles	33	N

Community	2003 Population	Fairbanks
Birch Creek	33	N
Healy Lake	33	N
Point Baker	33	N
Red Dog Mine	35	N
Game Creek	36	N
Lutak	36	N
New Allakaket	38	N
Jakolof Bay	39	N
Platinum	40	N
Nikolski	41	N
Red Devil	41	N
Lime Village	43	N
Edna Bay	45	N
Pedro Bay	45	N
Chiniak	49	N
Stony River	49	N
Igiugig	50	N
Akhiok	51	N
Kasaan	55	N
Aleneva	56	N
Port Protection	57	N
Whitestone Logging Camp	60	N
Portage Creek	61	N
Oscarville	62	N
Takotna	63	N
Nelson Lagoon	64	N
Beaver	65	N
Hughes	65	N
Clark's Point	66	N
Whale Pass	67	N
False Pass	69	N
Pilot Point	70	N
Port Alexander	70	N
Levelock	71	N
Sleetmute	72	N
Twin Hills	75	N
Hyder	77	N
Egegik	84	N
Chalkyitsik	86	N
Stevens Village	86	N
Port Heiden	87	N
Chignik	89	N
Chignik Lagoon	92	N
Iliamna	92	N
Skwentna	94	N
Atka	95	N
Cold Bay	95	N
Larsen Bay	96	N
Chenega Bay	99	N
Allakaket	102	N
Chuathbaluk	102	N

Community	2003 Population	Fairbanks
South Naknek	102	N
Port Alsworth	105	N
Perryville	106	N
Tenakee Springs	106	N
Pitkas Point	107	N
Anvik	108	N
Naukati Bay	109	N
Koyukuk	111	N
Tatitlek	111	N
Chignik Lake	113	N
Pelican	113	N
Kobuk	125	N
Covenant Life	126	N
Nikolai	127	N
Ekwok	128	N
Diomede	129	N
Deering	131	N
Tetlin	137	N
Seldovia Village	138	N
Crooked Creek	146	N
Golovin	146	N
Shageluk	146	N
Andreafsky	149	N
Mud Bay	149	N
Saint George	149	N
Adak	150	N
Wales	158	N
Coffman Cove	163	N
Port Graham	165	N
Arctic Village	166	N
Grayling	166	N
Newhalen	167	N
Ruby	169	N
Ouzinkie	170	N
Hollis	178	N
Kokhanok	182	N
Tyonek	193	N
Venetie	199	N
Koliganek	200	N
Nunam Iqua	204	N
Nunam Iqua	204	N
Mekoryuk	205	N
Holy Cross	209	N
Old Harbor	211	N
Nanwalek	214	N
White Mountain	214	N
Nondalton	217	N
Mosquito Lake	219	N
Shaktolik	223	N
Nightmute	228	N
Kaltag	229	N

Community	2003 Population	Fairbanks
Upper Kalskag	231	N
Aleknagik	235	N
Teller	242	N
Goodnews Bay	245	N
Atkasuk	247	N
Port Lions	251	N
Shungnak	264	N
Point Lay	265	N
Lower Kalskag	267	N
Atmautluak	279	N
Eek	290	N
Tanana	290	N
Ambler	291	N
Huslia	291	N
Kaktovik	295	N
Seldovia	300	N
Tununak	304	N
Russian Mission	310	N
Brevig Mission	314	N
Anaktuvuk Pass	319	N
Newtok	329	N
Akiak	337	N
Koyuk	340	N
Elim	341	N
Nulato	342	N
Kwigillingok	343	N
Marshall	368	N
Hydaburg	370	N
Napakiak	380	N
Tuntutuliak	381	N
King Salmon	385	N
Kivalina	388	N
Kongiganak	401	N
Manokotak	405	N
Kiana	406	N
Buckland	410	N
Saint Michael	413	N
McGrath	415	N
Nuiqsut	416	N
Napaskiak	419	N
Saxman	425	N
Chefornak	434	N
Gustavus	438	N
Tuluksak	464	N
Noatak	469	N
Scammon Bay	470	N
Thorne Bay	480	N
New Stuyahok	493	N
Nunapitchuk	498	N
Angoon	505	N
Kasigluk	529	N

Community	2003 Population	Fairbanks
Saint Paul	539	N
Aniak	551	N
Wainwright	553	N
Fox River	563	N
Pilot Station	564	N
Stebbins	570	N
Toksook Bay	572	N
Fort Yukon	574	N
Quinhagak	579	N
Saint Mary's	585	N
Shishmaref	594	N
Kotlik	609	N
Naknek	614	N
Akiachak	633	N
Gambell	647	N
Kipnuk	649	N
Noorvik	649	N
Alakanuk	666	N
Womens Bay	667	N
Kake	682	N
Yakutat	691	N
Savoonga	704	N
Point Hope	725	N
Kwethluk	730	N
King Cove	737	N
Unalakleet	741	N
Mountain Village	750	N
Emmonak	763	N
Galena	763	N
Akutan	787	N
Selawik	821	N
Togiak	824	N
Hoonah	851	N
Klawock	851	N
Chevak	884	N
Sand Point	947	N
Bristol Bay Borough	1105	N
Hooper Bay	1115	N
Craig	1174	N
Lazy Mountain	1188	N
Metlakatla	1398	N
Lake & Peninsula Borough	1628	N
Wrangell	2113	N
Kodiak Station	2192	N
Haines Borough	2327	N
Fishhook	2342	N
Cordova	2372	N
Dillingham	2373	N
Aleutians East Borough	2700	N
Butte	2931	N
Petersburg	3060	N

Community	2003 Population	Fairbanks
Kotzebue	3076	N
Nome	3448	N
Unalaska	4383	N
Unalaska	4388	N
Barrow	4417	N
Meadow Lakes	5443	N
Douglas	5483	N
Bethel	5899	N
Kodiak	6138	N
Northwest Arctic Borough	7301	N
Ketchikan	8002	N
Sitka	8891	N
Ketchikan Gateway Borough	13548	N
Kodiak Island Borough	13811	N
Juneau	31283	N
Uganik		N
Miller Landing	0	Y
Fort Greely	6	Y
Alcan Border	13	Y
Petersville	14	Y
Coldfoot	15	Y
Sunrise	15	Y
Livengood	20	Y
Chicken	21	Y
Tolsona	28	Y
Ferry	32	Y
Dot Lake	33	Y
Chase	34	Y
Four Mile Road	36	Y
Dot Lake Village	37	Y
Susitna	38	Y
Paxson	44	Y
McCarthy	53	Y
Eagle Village	59	Y
Nelchina	66	Y
Mendeltna	67	Y
Manley Hot Springs	73	Y
Crown Point	78	Y
Northway	82	Y
Chistochina	85	Y
Primrose	87	Y
Lowell Point	89	Y
Northway Village	95	Y
Circle	96	Y
Gulkana	98	Y
Northway Junction	98	Y
Tonsina	106	Y
Dry Creek	109	Y
Lake Louise	109	Y
Central	113	Y
Central	113	Y

Community	2003 Population	Fairbanks
Klukwan	114	Y
Slana	118	Y
Eagle	126	Y
Chilina	132	Y
McKinley Park	133	Y
Mentasta Lake	143	Y
Eyak	144	Y
Tanacross	144	Y
Silver Springs	148	Y
Hope	161	Y
Willow Creek	174	Y
Clam Gulch	176	Y
Copperville	176	Y
Whittier	176	Y
Tazlina	192	Y
Point MacKenzie	194	Y
Harding-Birch Lakes	210	Y
Gakona	214	Y
Moose Pass	221	Y
Cantwell	226	Y
Minto	234	Y
Chickaloon	242	Y
Glacier View	256	Y
Nikolaevsk	313	Y
Fox	316	Y
Cooper Landing	358	Y
Kenny Lake	369	Y
Copper Center	400	Y
Trapper Creek	426	Y
Eklutna	427	Y
Kachemak	473	Y
Happy Valley	503	Y
Nenana	519	Y
Kasilof	571	Y
Glennallen	574	Y
Moose Creek	574	Y
Anderson	592	Y
Two Rivers	592	Y
Knik River	654	Y
Pleasant Valley	677	Y
Big Delta	699	Y
Funny River	705	Y
Buffalo Scapstone	756	Y
Ninilchik	777	Y
Skagway	845	Y
Talkeetna	847	Y
Salcha	865	Y
Salamatof	902	Y
Delta Junction	984	Y
Healy	1022	Y
Diamond Ridge	1086	Y

Community	2003 Population	Fairbanks
Farm Loop	1124	Y
Sutton-Alpine	1174	Y
Cohoe	1201	Y
Houston	1339	Y
Tok	1435	Y
North Pole	1646	Y
Deltana	1691	Y
Haines	1715	Y
Fritz Creek	1740	Y
Ester	1774	Y
Bear Creek	1823	Y
Anchor Point	1826	Y
Willow	1838	Y
Girdwood	1850	Y
Denali Borough	1914	Y
Ridgeway	2011	Y
Seward	2733	Y
Big Lake	2839	Y
Gateway	3292	Y
Soldotna	4059	Y
Valdez	4060	Y
Nikiski	4357	Y
Eielson AFB	4437	Y
<hr/>		
Sterling	4888	Y
Homer	4893	Y
Palmer	5474	Y
Tanaina	5843	Y
Kalifornsky	6230	Y
Wasilla	6715	Y
Lakes	6980	Y
Kenai	7125	Y
North Slope Borough	7253	Y
Knik-Fairview	8488	Y
College	11929	Y
Fairbanks	29486	Y
Eagle River-Chugiak	30000	Y
Kenai Peninsula Borough	51220	Y
Matanuska-Susitna Borough	67473	Y
Fairbanks North Star Borough	82214	Y
Anchorage	274003	Y

Note: List includes Alaska Native Village Statistical Areas (ANVSAs), Censu

LEGAL SERVICES

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

(907) 485-3887 or 485-2450
FAX (907) 485-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 10, 2005

SUBJECT: Contractors (CSHB 81(L&C) (Work Order No.24-LS0144\I))

TO: Representative Lesil McGuire, Chair, House Judiciary Committee
Attn: Vanessa Tondini

FROM: Jean M. Mischel
Legislative Counsel 

The House Judiciary Committee has requested an opinion regarding equal protection issues raised by CSHB 81(L&C), pertaining to construction contractors and home inspectors. The bill contains two provisions that raise the possibility of an equal protection challenge, but the likelihood of prevailing is probably low if the state can demonstrate a legitimate interest that is fairly and substantially related to the differential treatment.

The first provision of the bill that raises equal protection issues is at sec. 2, page 2, lines 28-30, that exempts contractors and home inspectors working in areas with populations of less than 1,000 and that are not connected to Anchorage or Fairbanks by rail or road from the imposition of an administrative fine for second and subsequent violations of the applicable licensing laws.

The second provision of the bill that raises equal protection issues (as well as other constitutional questions) is the authorization in bill section 2 generally of the imposition of an administrative fine for contractors and home inspectors in non-rural areas in addition to the current availability of citations and civil penalties for the same violation.

Alaska's equal protection clause is found in Article I, Section 1 of the Constitution of the State of Alaska: "all persons are equal and entitled to equal rights, opportunities, and protection under the law." Amendment XIV, Section 1 of the Constitution of the United States provides that no state shall "deny to any person within its jurisdiction the equal protection of the laws."

The equal protection clause does not mean that the state has to treat everyone equally. It only requires that similarly situated people be treated equally. *Rutter v. State*, 963 P.2d 1007, 1013 (Alaska 1998), *Shepherd v. State, Dep't of Fish & Game*, 897 P.2d 33, 43, 44 (Alaska 1995). The threshold question in any equal protection analysis is whether similarly situated individuals are being treated differently. *Matanuska-Susitna Borough School District v. State*, 931 P.2d 391, 396 (Alaska 1997).

Representative Lesil McGuire

February 10, 2005

Page 2

Assuming that a court found that the contractors working in rural and non-rural areas were similarly situated, it would apply the full sliding scale equal protection analysis. See *Matanuska-Susitna Borough School District v. State*, 931 P.2d 391, 396 (Alaska 1997). The contractors and home owners' interests impaired by CSHB 81(L&C) would likely be found to be economic interests. Under Alaska law, economic interests are entitled only to "minimum scrutiny." See *Underwood v. State*, 881 P.2d 322, 325 (Alaska 1994). At the minimum level of scrutiny, the state only needs to show that the challenged enactment "was designed to achieve a legitimate governmental objective, and that the means bear a 'fair and substantial' relationship to the accomplishment of that objective." *Id.* (citations omitted).

Since contractors and home inspectors working in rural areas may be construed by a court not to be similarly situated with non-rural contractors and home inspectors, the equal protection principles may be found to be inapplicable in both instances of differential treatment.

If a court does find them to be similarly situated, however, the court will look for a legitimate governmental objective that is fairly and substantially related to that objective. With regard to the imposition of administrative fines, two possible legitimate objectives are efficiency and cost. The procedures allowed for the imposition of an administrative fine would require enforcement personnel and hearings to be conducted in remote areas at great expense. The risks and fines associated with enforcement in those areas may be too small to justify that level of inefficiency and expense. This may be particularly persuasive in the context of the availability of two other penalty options in rural areas: citations and civil remedies.

With regard to the authorization of three different types of penalties for non-rural contractors and home inspectors, the legitimacy of the government objective will depend upon the standards used for selecting the penalty. As long as all non-rural contractors and home inspectors are treated the same (since they are clearly similarly situated) for each type of violation found to exist, the validity of the distinction for rural contractors and home inspectors will again turn on the court's perception of the legitimacy of the differential treatment for them.

If I may be of further assistance, please advise.

JMM:med
05-094.med

Brian Hove

From: Todd Larkin [todd@wdlenterprises.com]
Sent: Friday, April 22, 2005 11:30 PM
To: Brian Hove
Cc: Sen. Ralph Seekins
Subject: HB81 testimony/packet additions
Attachments: Concept for amendment to hb81.doc; FACT SHEET.doc; HB 81 amendment for exemption 8 RTF

Hi Brian,

A few requests:

- Please teleconference the Senate Judiciary meeting on HB81 to Fairbanks to allow public testimony.
- Please notify me by email or phone as soon as you know which day the bill will be scheduled: todd@wdlenterprises.com or 907-378-8633.
- Please add the attached documents and amendments to the packets of all the committee members.
- Please inform me as to whether Senator Seekins would be willing to offer either amendment (L.1) or the conceptual amendment written below.
- Please let me know how I can be of help in adding or clarifying information; or collaborating on other changes.

Thanks for your help. I have been out of town and the financial burden of closely following and participating in this legislation has left me no option but to return to long hours of paying work. I have been unable to follow the progress as closely as before and need some time to prepare between working hours.

here is a conceptual amendment that can be offered in place of the existing "administrative hearing" language on page 2, sec. 2, paragraphs b/c/d:

1. Page 2, paragraphs b) and c) are very troubling. These fines are just like traffic tickets (but way bigger). They should be challengeable in court before a magistrate just like traffic tickets. We do not need to create new government positions and proper legal recourse should not be delayed by the administrative process, regardless. If the department has proof of wrongdoing then they can present it to the lower court and the inspector who issued the ticket should have to appear. This satisfies the stated intent of not having to rely on the department of law or the AG's office. The references to "administrative hearings" should be deleted and replaced with district court language. No "administrative hearings"!

Thanks again,
Todd Larkin

Concept for amendment to Statute 8.18.161 "exemptions" referenced in HB81 before existing statutes are supplemented by new enforcement provisions proposed in HB81.

Basis and background:

Currently, AS 8.18.161 (8) allows for an "8101" license holder to be exempted from existing and proposed enforcement provisions in AS 8.18 if... the license holder does not exceed charges of \$5000 dollars per project; however, the license holder loses this exemption if he works on a *higher value* project owned or operated by a *different* contractor even when his work totals less than the \$5000 dollar limit.

In the practical application, this construction of the law simply precludes an "8101" license holder from ever doing any work of any amount on a new construction project without being subject to the proposed \$1500 dollar per day fines; even when the project is run or owned by a fully licensed bonded and insured contractor; and when the work is performed at the invitation of that contractor.

Goal:

Amend AS 8.18 to ensure that an "8101" License holder can perform no more than \$5000 dollars worth of work on any project without regard to overall project size. Clarify the statute language to specify that the \$5000 dollar limit on work shall be measured against the overall project whether the work was performed for a licensed subcontractor or the acting general contractor.

Previous attempt:

A previously suggested amendment was given to accomplish one part of this goal. That amendment would have deleted the words "whether" and "or a different" from line 18 on page 4 of HB81.

Request:

The committee and other members were concerned that the proposed amendment language was incomplete and not properly drafted so it may have unforeseen consequences. Please draft an amendment that accomplishes the stated goals above, possibly in "exemption (8)" of AS 8.18.161 or elsewhere.

Thank you.

FACT SHEET FOR HB 81

- Clarification: The term "handyman license" does not exist in statute; a nickname given to the 8101 license category. The 8101 license is for "unclassified services" and is more truly described as an independent laborer's license. It was originally referred to as an "unclassified specialty contractor" and allowed a laborer to contract his/her personal labor out to various customers from home owners, to general contractors, to landlords, and so on. The nickname, however, has been taken literally and now the legislature is trying to create the "handyman" while putting independent labor out of business.
- Clarification: Most of the problems with HB81 relate to the proposed enforcement of what is already prohibited in law. Most consumers and license holder were never aware that their daily practices were in violation of law because the law lacked enforcement. Since HB81 seeks to enforce very poorly written law with unreasonable methods, the underlying law must now be addressed.

Now onto the bill basics:

- Sponsored by Representative Tom Anderson of Anchorage along with Representative Harry Crawford (Democrat). *Despite winning the house by 36 to 2 votes, it has picked up no other sponsors.*
- HB 81 was brought at the urging of HBA Department of Labor and possibly other interests.
- Implicitly discriminates against one of two groups: The bill is either suggesting that "Bush Alaska" consumers are not worth "protecting"; Or, that the urban populations are too ignorant to decide who to contract with for projects. It's unclear which group receives the greater insult, but each are affected.

- HB 81 seeks to enforce current (poorly written) law by switching the burden of proof to the accused and levying a \$1000-\$1500 dollar daily fine on workers in the \$20per hr - \$45per hr pay range.
- Gives new ticketing/prosecution powers to the department of Labor and the department of economic development.
- Delays citizen access to the state courts
- Further regulates home inspections and subjects the inspectors to fines in specific circumstances. *Compliance leads to higher administrative and construction costs.*
- Doubles the existing length of time between owner built projects to 2 years. (fines apply).
- In short, HB 81 would make it illegal for an Alaskan to build and sell his/her home in a timeframe he sees fit in accordance to his livelihood and impose "state wisdom".
- Regulates every state citizen except registered contractors.
- Prohibits owner builders from building a house in all but, two circumstances i.e. you must exhaust several years of your time or retirement to build inexpensively or spend vastly more money to hire registered contractors if time is a problem. (fines apply)
- If the citizen wants to build a rental home early they must seek permission from Department of labor. (fines apply)
- If you or a fully licensed and insured contractor engaged in any project worth over \$5000 dollars, an "8101" license holder is prohibited from doing even \$1 dollar worth of work for you. (this is

in the existing law that HB81 seeks to enforce. It is the "poorly written" section I (previously mentioned). (fines apply)

- potentially raises building costs approximately 40% for the consumer that had intended to invest there savings or retirement in several real estate projects for rental income over a short period, without a general contractor.
- revises and increases criminal penalty for building to a class B Misdemeanor (see attached statutes).

A few unstated results:

- One unstated result of this bill is reduced available labor by prohibiting (8101) workers from assisting in major repair or construction.
- Another unstated result of HB81 is raising costs to consumers (substantially) i.e. if I (an 8101 licensee) were to fully comply, my rates (currently \$30 per hr) would probably move up to \$45 per hour or if an owner builder were forced to hire a General contractor, a \$100,000 dollar project would quickly move to \$140,000 dollars (round numbers)
- Another unstated result of HB81 is to remove the existing financial incentive for building a house without a general contractor. These savings sometimes mean the difference between building and owning a home or continuing to rent.
- Another unstated result of HB81 is to raise housing costs statewide by limiting (in most cases) building activity to the most expensive method available. That method is fully licensed insured and bonded general contractors. They are not the most expensive because of greed but, because of the costs of workers compensation, general liability, performance bonding and employee overhead. Your \$160,000 dollar home project would have around \$60,000 dollars in requirements and modest profit over the costs of labor and materials.

Some falsehoods:

- **HB81 will protect consumers.** This is totally unfounded. The consumer who does not have the money to hire the fully licensed trade or general contractor will either complete projects on their own with no expertise at all or they will begin to hire totally unlicensed "under the table" labor that may have even greater disadvantages than the 8101 license holder.
- **HB81 will ensure that construction will not be performed by "unlicensed" or "improperly licensed" workers.** This is flawed logic. Very few workers on a construction site are licensed but, they perform most of the work. What happens is that the general and subcontractors have the necessary licenses and insurance to allow their UNLICENSED employees to do the work. Now I ask you: what is the difference whether a general contractor has his unlicensed employee do the work or a self employed laborer? None, the general is liable for the work in both cases.
- **If homes and large projects are handled exclusively by general contractors, poor construction and consumer complaints will stop...** Does anyone really believe that statement?
- **Competition from unlicensed contractors is hurting fully licensed contractors.** This is false for two reasons. First, most contractors will admit that they have more work than can be finished and; second, the cost burdens of regulation and insurance are the real damaging factors, not competition.
- **Workman's compensation coverage is unavailable to some workers.** This statement may or may not be true but, is totally unrelated to HB81 and irrelevant.
- **This bill absolutely does not change any of the laws affecting "handymen."** True but, deceiving because there are no handyman laws on the books at all.
- **The current route for enforcement will clog up the court systems.** I cannot recall even one case that has made it to court so it must be false to suggest that current practices will clog the courts.

Un-intended consequence:

In order to see newly constructed rental properties on the market they must be financially viable. The single family home has a very low profit margin as a rental when constructed by owners with freelance labor and some donated personal time. That small margin becomes a deficit when the project is undertaken by a homebuilder general contractor because no time can be donated, a portion must be set aside for profit and the regulatory costs for the general contractor must be borne by the project. This route will result in a home that can barely support market sale prices and cannot support a profit margin as a rental home. So these enforcement measures for existing law may very well result in an absence of new construction in the single family rental market (heavily utilized by our military).

This example would also apply to a smaller project like adding an apartment over a garage.

This enforcement action will greatly reduce the availability of cheap willing local labor in the free market.

It will stretch the recourses of consumers for projects and has to result in less overall economic activity.

Critical language references:

Page four, exemption #8 is problematic for anyone who wants to hire an 8101 licensee if there overall project is of any large size. The licensee is subject to fines in most hiring situations and therefore unavailable. Also an insurance requirement is cited for any work over \$2,500 dollars. The policy alone would be over \$2000 dollars a year IF available at all.

Page 2, section 2, a/b/c/d/ are switching the burden of proof and trying to delay access to courts.

Page 2, section 2, lines 28-30 are discriminating against the bush or calling the urban citizens stupid. (not sure which)

Page 3, lines 1-9 increase the penalties for home inspectors and therefore, costs to consumers.

Page 3, sec. 4. the section dealing with the criminal charge has been "repealed" and reenacted. The existing law is more permissive. (as it should be).

Page 4, lines 20,21,21 will allow for over broad or selective enforcement. It should be changed to more concise language. "might indicate" should be replaced with "clearly indicates".

Page 5, lines 8,9,10,11. Property owners who want to build rentals or spec's in a financially viable way and timeframe, must now ask permission from department of labor? We suddenly trust government to be the arbiter of what qualifies as hardship?

Pg 5, line 21, applicability, A & B seem to be in direct conflict.

AMENDMENT

OFFERED IN THE SENATE

TO: SCSCSHB81(L&C)

- 1 Page 4, lines 17- 18:
- 2 Delete "when the work is only part of a larger or major operation, whether undertaken
- 3 by the same or a different contractor, or"
- 4 Insert "[WHEN THE WORK IS ONLY PART OF A LARGER OR MAJOR
- 5 OPERATION, WHETHER UNDERTAKEN BY THE SAME OR A DIFFERENT
- 6 CONTRACTOR, OR] "

110 N. Cushman St. Ste 101 Fairbanks, Alaska 99701
Phone: (907) 452-4148 Fax (907) 450-3348



Fax

To: Senate Judiciary Committee **From:** Nancy Kelly

Fax: 465-8717-5241 **Pages:** 12

Phone: **Date:** 4/27/05

Re: Written Testimony HB 81 **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

• Comments:

Back up testimony from today's hearing in HB 81 - requested by the Chair.

Thank you!

1ST

PREF: V.P. R. K. F. AMENDMENT

TRAFFIC. CIVIL AMENDMENT (S. 1021)

Main points

NOT HONORABLE BELIEVE IT OR NOT... USE YOUR

- This bill ^{EFFECTIVELY} outlaws independent laborers on all major construction sites. This is a man's lively hood that you are seeking to restrict by passing this bill without substantial amendments. You are outlawing the mere act of accepting small amounts of work (under \$5000 dollars) from contractors or owner-builders or local landlords. How can any perceived gain of this bill be worth that price?
- This bill installs massive enforcement measures against people earning a living. It creates a very big citation power for the department of labor. * The accused, in this case, should at least have the same protections ~~that are~~ ^{THAT ARE OFFERED} for a simple speeding citation??? Even if you are caught speeding, you have the right to ask for a trial before a jury or magistrate. Give me one good reason why a man who has his livelihood threatened should not have the same rights afforded to a traffic ticket case? Why shouldn't the department have to provide some type of legal proof to fine a man \$1500 bucks a day for going to work?
- This bill should have major modification or die in this committee. The backers of this bill have finally realized that years of state red tape has made their situation bad. But, instead of fixing ~~that~~ ^{THAT} situation, they have proposed that making someone else's situation just as bad, will solve the problem!!

Members of the committee... that kind of reasoning is not RIGHT, NOT ALASKAN, NOT LOGICAL and forgive me for possibly offending the minority but, it SURE AIN'T REPUBLICAN!

I HOPE TO GOD IT AIN'T DEMOCRAT IETHER? My apologies to the democrat members. No offense intended.

I am only left with one question after all the time spent on this bill...

Why are the backers and the legislature so intent on kicking independent labor off of every substantial jobsite in Alaska; AND, if they dare go to work

HUGGINS / FRENCH / THERIAULT / GUESS / SEIKINS

pg 1

anyway, taking their right to trial away?

I would very much appreciate the opportunity to answer questions during committee debate on this bill as the unofficial ranking expert on this piece of legislation.

Thank you mr Chairman, I will remain here for the duration of debate.

Testimony submitted by: Todd Larkin

1466 REDMOND AVE.
NORTH POLE, AK 99705

24-LS0144(LJ)
Mischel
4/22/05


AMENDMENT

OFFERED IN THE SENATE
TO: SCSCSHB81(L&C)

- 1 Page 4, lines 17- 18:
- 2 Delete "when the work is only part of a larger or major operation, whether undertaken
- 3 by the same or a different contractor, or"
- 4 Insert "[WHEN THE WORK IS ONLY PART OF A LARGER OR MAJOR
- 5 OPERATION, WHETHER UNDERTAKEN BY THE SAME OR A DIFFERENT
- 6 CONTRACTOR, OR]"

NECESSARY AND FAIR CHANGES TO HB81 AND EFFECTED LAW

Here are a few points to get at if you want to talk about specific amendments. Go ahead and read through it to familiarize yourself with the location of each point in the bill. I have page and line references in each.

1. the language that speaks to advertising on page 4, line 21 needs to be more specific. It should only allow for a violation when the advertising: "clearly indicates to the public that the person is a construction contractor, home builder or specialty trade contractor..." other than handyman or general labor Svc.,
-  2. Labor/handyman svcs should be allowed to perform under \$5000 dollars of work for any customer including fully licensed contractors or owner builders. This practice is precluded on page 4, line 18. The "L.1" amendment should be adopted. The remaining sentence would ensure that an "independent laborer" could not simply break up the same job into \$5000 dollar chunks and skirt the law.
3. The proposed 2 year time-span requirement between projects at the top of page 5 should have an exemption for rental property. An Alaskan property owner must commit substantial finances to rental projects. To ask Alaskans to either pay the highest possible price through a contractor or stretch their capitol over long terms to comply with law, is no choice at all. Seniors will be hurt the most by this "2 year" requirement because if they plan to convert their retirement savings to income by building several rentals, they must transition in a short amount of time or be without income. The entire idea of limiting how often a person can better

their financial status by sweat equity, is borderline communist.
And totally anti-Alaskan.



4. Page 2, paragraphs b) and c) are very troubling. These fines are just like traffic tickets (but way bigger). They should be challengeable in court before a magistrate just like traffic tickets. We do not need to create new government positions and legal recourse should not be delayed, regardless. If the department has proof of wrongdoing then they can present it to the lower court and the inspector who issued the ticket should have to appear. This satisfies the stated intent of not having to rely on the department of law or the AG's office. The references to "administrative hearings" should be deleted and replaced with district court language. No "administrative hearings"!

5. A statutory warranty should be created. Let the builders write it and then put it in statute. Everyone lives under the same warranty language so no one can claim that the requirements are unfair. This might actually protect consumers if that is a real goal.

6. Jobs valued at under \$5000 dollars for labor AND MATERIALS, do not support or justify an insurance policy. If they did, then the "licensed and insured" tradesmen contractors would be accepting those small jobs. Most are not bidding or accepting these small jobs. Therefore, the language requiring insurance over \$2500 on page 4 lines 23-25 should be deleted.

If you need more, give me a call. These are the main changes that should be made for now. Some are changes to existing law so that when the new enforcement actions are approved, regular folks and independent labor won't be criminals.

Todd

378-8633

FACT SHEET FOR HB 81

- **Clarification:** The term "handyman license" does not exist in statute; a nickname given to the 8101 license category. The 8101 license is for "unclassified services" and is more truly described as an independent laborer's license. It was originally referred to as an "unclassified specialty contractor" and allowed a laborer to contract his/her personal labor out to various customers from home owners, to general contractors, to landlords, and so on. The nickname, however, has been taken literally and now the legislature is trying to create the "handyman" while putting independent labor out of business.
- **Clarification:** Most of the problems with HB81 relate to the proposed enforcement of what is already prohibited in law. Most consumers and license holder were never aware that their daily practices were in violation of law because the law lacked enforcement. Since HB81 seeks to enforce very poorly written law with unreasonable methods, the underlying law must now be addressed.

Now onto the bill basics:

- Sponsored by Representative Tom Anderson of Anchorage along with Representative Harry Crawford (Democrat). *Despite winning the house by 36 to 2 votes, it has picked up no other sponsors.*
- HB 81 was brought at the urging of HBA Department of Labor and possibly other interests.
- Implicitly discriminates against one of two groups: The bill is either suggesting that "Bush Alaska" consumers are not worth "protecting"; Or, that the urban populations are too ignorant to decide who to contract with for projects. It's unclear which group receives the greater insult, but each are affected.

- HB 81 seeks to enforce current (poorly written) law by switching the burden of proof to the accused and levying a \$1000-\$1500 dollar daily fine on workers in the \$20per hr - \$45per hr pay range.
- Gives new ticketing/prosecution powers to the department of Labor and the department of economic development.
- Delay citizen access to the state courts
- Further regulates home inspections and subjects the inspectors to fines in specific circumstances. *Compliance leads to higher administrative and construction costs.*
- Doubles the existing length of time between owner built projects to 2 years. (fines apply).
- In short, HB 81 would make it illegal for an Alaskan to build and sell his/her home in a timeframe he sees fit in accordance to his livelihood and impose "state wisdom".
- Regulates every state citizen except registered contractors.
- Prohibits owner builders from building a house in all but, two circumstances i.e. you must exhaust several years of your time or retirement to build inexpensively or spend vastly more money to hire registered contractors if time is a problem. (fines apply)
- If the citizen wants to build a rental home early they must seek permission from Department of labor. (fines apply)
- If you or a fully licensed and insured contractor engaged in any project worth over \$5000 dollars, an "8101" license holder is prohibited from doing even \$1 dollar worth of work for you. (this is

in the existing law that HB81 seeks to enforce. It is the "poorly written" section I previously mentioned). (fines apply)

- potentially raises building costs approximately 40% for the consumer that had intended to invest there savings or retirement in several real estate projects for rental income over a short period, without a general contractor.
- revises and increases criminal penalty for building to a class B Misdemeanor (see attached statutes).

A few unstated results:

- One unstated result of this bill is reduced available labor by prohibiting (8101) workers from assisting in major repair or construction.
- Another unstated result of HB81 is raising costs to consumers (substantially) i.e. if I (an 8101 licensee) were to fully comply, my rates (currently \$30 per hr) would probably move up to \$45 per hour or if an owner builder were forced to hire a General contractor, a \$100,000 dollar project would quickly move to \$140,000 dollars (round numbers)
- Another unstated result of HB81 is to remove the existing financial incentive for building a house without a general contractor. These savings sometimes mean the difference between building and owning a home or continuing to rent.
- Another unstated result of HB81 is to raise housing costs statewide by limiting (in most cases) building activity to the most expensive method available. That method is fully licensed insured and bonded general contractors. They are not the most expensive because of greed but, because of the costs of workers compensation, general liability, performance bonding and employee overhead. Your \$160,000 dollar home project would have around \$60,000 dollars in requirements and modest profit over the costs of labor and materials.

Some falsehoods:

- **HB81 will protect consumers.** This is totally unfounded. The consumer who does not have the money to hire the fully licensed trade or general contractor will either complete projects on their own with no expertise at all or they will begin to hire totally unlicensed "under the table" labor that may have even greater disadvantages than the 8101 license holder.
- **HB81 will ensure that construction will not be performed by "unlicensed" or "improperly licensed" workers.** This is flawed logic. Very few workers on a construction site are licensed but, they perform most of the work. What happens is that the general and subcontractors have the necessary licenses and insurance to allow their UNLICENSED employees to do the work. Now I ask you: what is the difference whether a general contractor has his unlicensed employee do the work or a self employed laborer? None, the general is liable for the work in both cases.
- **If homes and large projects are handled exclusively by general contractors, poor construction and consumer complaints will stop...** Does anyone really believe that statement?
- **Competition from unlicensed contractors is hurting fully licensed contractors.** This is false for two reasons. First, most contractors will admit that they have more work than can be finished and; second, the cost burdens of regulation and insurance are the real damaging factors, not competition.
- **Workman's compensation coverage is unavailable to some workers.** This statement may or may not be true but, is totally unrelated to HB81 and irrelevant.
- **This bill absolutely does not change any of the laws affecting "handymen."** True but, deceiving because there are no handyman laws on the books at all.
- **The current route for enforcement will clog up the court systems.** I cannot recall even one case that has made it to court so it must be false to suggest that current practices will clog the courts.

Un-intended consequence:

In order to see newly constructed rental properties on the market they must be financially viable. The single family home has a very low profit margin as a rental when constructed by owners with freelance labor and some donated personal time. That small margin becomes a deficit when the project is undertaken by a homebuilder general contractor because no time can be donated, a portion must be set aside for profit and the regulatory costs for the general contractor must be borne by the project. This route will result in a home that can barely support market sale prices and cannot support a profit margin as a rental home. So these enforcement measures for existing law may very well result in an absence of new construction in the single family rental market (heavily utilized by our military).

This example would also apply to a smaller project like adding an apartment over a garage.

This enforcement action will greatly reduce the availability of cheap willing local labor in the free market.

It will stretch the recourses of consumers for projects and has to result in less overall economic activity.

Critical language references:

Page four, exemption #8 is problematic for anyone who wants to hire an 8101 licensee if there overall project is of any large size. The licensee is subject to fines in most hiring situations and therefore unavailable. Also an insurance requirement is cited for any work over \$2,500 dollars. The policy alone would be over \$2000 dollars a year IF available at all.

Page 2, section 2, a/b/c/d/ are switching the burden of proof and trying to delay access to courts.

Page 2, section 2, lines 28-30 are discriminating against the bush or calling the urban citizens stupid. (not sure which)

Page 3, lines 1-9 increase the penalties for home inspectors and therefore, costs to consumers.

Page 3, sec. 4. the section dealing with the criminal charge has been "repealed" and reenacted. The existing law is more permissive. (as it should be).

Page 4, lines 20,21,21 will allow for over broad or selective enforcement. It should be changed to more concise language. "might indicate" should be replaced with "clearly indicates".

Page 5, lines 8,9,10,11. Property owners who want to build rentals or spec's in a financially viable way and timeframe, must now ask permission from department of labor? We suddenly trust government to be the arbiter of what qualifies as hardship?

Pg 5, line 21, applicability, A & B seem to be in direct conflict.



Alaska State Legislature

Please enter into the record my testimony to the Senate Judiciary

committee on HB 81, dated April 27, 2005
bill/ subject committee name

In my experience for 25 years as a laborer and carpenter in the residential building sector, I have seen many owners build their own houses from the ground up. I suspect the vast number of these projects that occur each year is not realized by anyone. I believe it makes a very strong impact on our economy. Even more so in a small community, I live in such a community right now.

Most of the time owner builders do a good job, are knowledgeable about building science to do a good job. There is nothing wrong with these homes selling on the market within 1 year. Neither is it necessary for the owner to live in it before selling. Extending the requirement to two years is unrealistic and interferes with the liberty of two categories of people.

The laborer and carpenter who is hired to build for the owner has inherent rights and liberties to work. The owner has these same rights and liberties to build and sell at a profit if he can. Liberty is at stake here!

Our country is founded on free market. It is therefore ultimately the buyers responsibility to make a wise purchase.

We must not seek to constrain the fundamental liberties and rights of one class to secure the economic nest-egg of another class.

Signed: Patrick Anthony Dalton

Testifier

Self

Representing (Optional)

PO Box 1413 Delta Junction Alaska 99737

Address

895 5011

Phone No.

Public Opinion Message

Please contact your local Legislative Information Office (LIO) to send POMs.
A listing of LIOs can be found at <http://www.legis.state.ak.us/legaff/liolist.htm>

This form must be completely filled out. You may phone, fax, or deliver your POM to any LIO.

From: Please PRINT the information below. This form must be signed by the sender.

Mr. / Ms. / Mrs.	First name	M.I.	Last name	Jr. / Sr. / III
Mr	Elijah	M	Verhagen	
Group affiliation (if applicable)				Daytime telephone number
Mailing address				Zip code
Box 563 Nenana, AK				99760
Residence (street) address if different from mailing address				Zip code
10 Verhagen Way				99760
Email address		Signature		Date
paul.verhagen@prodigy.net		Elijah M. Verhagen		4/25/05

To: Put a ✓ in the appropriate box(es).

Committees		House members		Senate members	
<input type="checkbox"/>	H or S	<input type="checkbox"/>	Anderson (ade)	<input type="checkbox"/>	Bunde (bun)
<input type="checkbox"/>	Community & Regional Affairs (cra)	<input type="checkbox"/>	Berkowitz (ber)	<input type="checkbox"/>	Cowdery (coy)
<input type="checkbox"/>	Finance (fir)	<input type="checkbox"/>	Chensault (che)	<input type="checkbox"/>	Davis (deb)
<input type="checkbox"/>	Health, Ed., & Social Services (hes)	<input type="checkbox"/>	Cisner (cis)	<input type="checkbox"/>	Dyson (dys)
<input checked="" type="checkbox"/>	Judiciary (jud)	<input type="checkbox"/>	Coghill (cog)	<input type="checkbox"/>	Ellis (ell)
<input type="checkbox"/>	Labor & Commerce (l&c)	<input type="checkbox"/>	Crawford (crf)	<input type="checkbox"/>	Ehlon (ell)
<input type="checkbox"/>	Resources (res)	<input type="checkbox"/>	Croft (cro)	<input type="checkbox"/>	French (fre)
<input type="checkbox"/>	Rules (ris)	<input type="checkbox"/>	Dahistrom (dal)	<input type="checkbox"/>	Green (gre)
<input type="checkbox"/>	State Affairs (sta)	<input type="checkbox"/>	Elkins (eln)	<input type="checkbox"/>	Guess (gue)
<input type="checkbox"/>	Transportation (tra)	<input type="checkbox"/>	Foster (fos)	<input type="checkbox"/>	Hoffman (hof)
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Gara (gar)	<input type="checkbox"/>	Huggins (hug)
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Gardner (gas)	<input type="checkbox"/>	Kookesh (koo)
Caucuses		<input type="checkbox"/>	Gatto (gat)	<input type="checkbox"/>	Olson (ols)
<input type="checkbox"/>	Anchorage (anc)	<input type="checkbox"/>	Gruenberg (gru)	<input type="checkbox"/>	Seekins (sek)
<input type="checkbox"/>	Children's (chi)	<input type="checkbox"/>	Guttenberg (gtt)	<input type="checkbox"/>	Stedman (stm)
<input type="checkbox"/>	Fish (fsc)	<input type="checkbox"/>	Harris (har)	<input type="checkbox"/>	B. Stevens (ste)
<input type="checkbox"/>	Joint Legislative Health (jhc)	<input type="checkbox"/>	Hawker (haw)	<input type="checkbox"/>	G. Stevens (stg)
<input type="checkbox"/>	Majority (maj)	<input type="checkbox"/>	Holm (hol)	<input type="checkbox"/>	Therriault (thr)
<input type="checkbox"/>	Minority (min)	<input type="checkbox"/>	Joule (jou)	<input type="checkbox"/>	Wagoner (wag)
		<input type="checkbox"/>	Kapsner (kap)	<input type="checkbox"/>	Wilken (wik)
		<input type="checkbox"/>	Kelly (kel)	<input type="checkbox"/>	
		<input type="checkbox"/>	Kertula (ker)	<input type="checkbox"/>	
		<input type="checkbox"/>	Kohring (koh)	<input type="checkbox"/>	
		<input type="checkbox"/>	Koti (kot)	<input type="checkbox"/>	
		<input type="checkbox"/>	Ledoux (leu)	<input type="checkbox"/>	
		<input type="checkbox"/>	Lynn (lyn)	<input type="checkbox"/>	
		<input type="checkbox"/>	McGuire (mcj)	<input type="checkbox"/>	
		<input type="checkbox"/>	Meyer (mey)	<input type="checkbox"/>	
		<input type="checkbox"/>	Moses (mos)	<input type="checkbox"/>	
		<input type="checkbox"/>	Neuman (neu)	<input type="checkbox"/>	
		<input type="checkbox"/>	Olson (oll)	<input type="checkbox"/>	
		<input type="checkbox"/>	Ramras (rar)	<input type="checkbox"/>	
		<input type="checkbox"/>	Rokeberg (rok)	<input type="checkbox"/>	
		<input type="checkbox"/>	Salmon (sae)	<input type="checkbox"/>	
		<input type="checkbox"/>	Samuels (saf)	<input type="checkbox"/>	
		<input type="checkbox"/>	Seaton (san)	<input type="checkbox"/>	
		<input type="checkbox"/>	Stoltz (stz)	<input type="checkbox"/>	
		<input type="checkbox"/>	Thomas (thm)	<input type="checkbox"/>	
		<input type="checkbox"/>	Weyhrauch (weh)	<input type="checkbox"/>	
		<input type="checkbox"/>	Wilson (wls)	<input type="checkbox"/>	

Subject: Fill out the boxes below OR enter a Subject.

HB or SB	Bill number	and check one:	<input type="checkbox"/> Support	OR	enter a general Subject
CSHB	81	<input checked="" type="checkbox"/> Amend	Oppose		(LIO staff may modify):

Message: Your PRINTED message cannot exceed 50 words or contain any vulgar language.

My	Father	Say's	"Teach	a	5
boy	construction	skills	and	he	10
will	become	a	doctor	or	15
lawyer.	He	has	a	large	20
family	and	has	taught	us	25
construction	skills	every	summer	w/o	30
having	to	be	a	contractor.	35
please	don't	take	away	great	40
opportunities	for	families	please	Amend	45
the	limit.	to	\$15,000	Thank's	50

Public Opinion Message

Please contact your local Legislative Information Office (LIO) to send POMs.
A listing of LIOs can be found at <http://www.legis.state.ak.us/legaff/lio/lio1st.htm>

This form must be completely filled out. You may phone, fax, or deliver your POM to any LIO.

From: Please **PRINT** the information below. This form must be signed by the sender.

Mr. / Ms. / Mrs. Mr.	First name Josh	MI. K.	Last name Verhagen	Jr. / Sr. / III
Group affiliation (if applicable)				Daytime telephone number 907-822-5238
Mailing address Box 563 Nensana AK				Zip code 99752
Residence (street) address if different from mailing address 10 Verhagen Way, Nensana, AK				Zip code 99752
Email address Paul.Verhagen@prodigy.net		Signature <i>Paul Verhagen</i>		Date 4/25/05

To: Put a in the appropriate box(es).

	Committees	House members	Senate members
<input type="checkbox"/>	<input type="checkbox"/> Community & Regional Affairs (cra)	<input type="checkbox"/> Anderson (ade)	<input type="checkbox"/> Bunde (bun)
<input type="checkbox"/>	<input type="checkbox"/> Finance (fin)	<input type="checkbox"/> Berkowitz (ber)	<input type="checkbox"/> Cowdery (coy)
<input type="checkbox"/>	<input type="checkbox"/> Health, Ed., & Social Services (hes)	<input type="checkbox"/> Chenault (che)	<input type="checkbox"/> Davis (dab)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Judiciary (jud)	<input type="checkbox"/> Ciesna (dis)	<input type="checkbox"/> Dyson (dys)
<input type="checkbox"/>	<input type="checkbox"/> Labor & Commerce (l&c)	<input type="checkbox"/> Coghill (cog)	<input type="checkbox"/> Ellis (ell)
<input type="checkbox"/>	<input type="checkbox"/> Resources (res)	<input type="checkbox"/> Crawford (crf)	<input type="checkbox"/> Elton (elt)
<input type="checkbox"/>	<input type="checkbox"/> Rules (rts)	<input type="checkbox"/> Croft (cro)	<input type="checkbox"/> French (fre)
<input type="checkbox"/>	<input type="checkbox"/> State Affairs (sta)	<input type="checkbox"/> Dahlstrom (dal)	<input type="checkbox"/> Green (gre)
<input type="checkbox"/>	<input type="checkbox"/> Transportation (tra)	<input type="checkbox"/> Elkins (eln)	<input type="checkbox"/> Guess (gue)
<input type="checkbox"/>	Other:	<input type="checkbox"/> Foster (fos)	<input type="checkbox"/> Hoffman (hof)
<input type="checkbox"/>	Other:	<input type="checkbox"/> Gara (gar)	<input type="checkbox"/> Huggins (hug)
		<input type="checkbox"/> Gardner (gas)	<input type="checkbox"/> Kookash (kos)
		<input type="checkbox"/> Gatto (gal)	<input type="checkbox"/> Olson (ols)
		<input type="checkbox"/> Gruenberg (gru)	<input type="checkbox"/> Seekins (sek)
		<input type="checkbox"/> Guttenberg (gtt)	<input type="checkbox"/> Stedman (smn)
		<input type="checkbox"/> Harris (har)	<input type="checkbox"/> B. Stevens (ste)
		<input type="checkbox"/> Hawker (haw)	<input type="checkbox"/> G. Stevens (stg)
		<input type="checkbox"/> Holm (hol)	<input type="checkbox"/> Theriault (thr)
		<input type="checkbox"/> Joule (jou)	<input type="checkbox"/> Wagoner (wag)
		<input type="checkbox"/> Kapsner (kap)	<input type="checkbox"/> Wilken (wik)
		<input type="checkbox"/> Kelly (kel)	
		<input type="checkbox"/> Kartula (kar)	
		<input type="checkbox"/> Kohring (koh)	
		<input type="checkbox"/> Kott (kot)	
		<input type="checkbox"/> Ledoux (leu)	
		<input type="checkbox"/> Lynn (lyn)	
		<input type="checkbox"/> McGuire (mog)	
		<input type="checkbox"/> Meyer (mey)	
		<input type="checkbox"/> Moses (mos)	
		<input type="checkbox"/> Neuman (neu)	
		<input type="checkbox"/> Olson (oll)	
		<input type="checkbox"/> Ramras (rar)	
		<input type="checkbox"/> Rokeberg (rok)	
		<input type="checkbox"/> Salmon (sae)	
		<input type="checkbox"/> Samuels (sal)	
		<input type="checkbox"/> Seaton (sar)	
		<input type="checkbox"/> Stolze (stz)	
		<input type="checkbox"/> Thomas (thm)	
		<input type="checkbox"/> Weyhrauch (weh)	
		<input type="checkbox"/> Wilson (wls)	

Subject: Fill out the boxes below **OR** enter a Subject.

HB or SB CSHB	Bill number 81	and check one:	<input checked="" type="checkbox"/> Support	<input type="checkbox"/> Oppose	<input type="checkbox"/> Amend	OR enter a general Subject (LIO staff may modify):
------------------	-------------------	----------------	---	---------------------------------	--------------------------------	--

Message: Your **PRINTED** message cannot exceed 50 words or contain any vulgar language.

we	earn	money	each	summer	5
to	help	pay	for	college	10
by	working	for	our	family	15
business	building	sheds	and	garages	20
for	ATV's	due	to	rising	25
costs	some	of	our	buildings	30
that	used	to	sell	for	35
under	\$2500	now	sell	for	40
over	\$5000	please	vote	against	45
CSHB 81	Thank	you.			50