

HB

295

ALASKA STATE LEGISLATURE
House Resources Committee

Carl Gatto, Co-Chair

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MEMORANDUM

TO: Representative John Harris, Speaker
Alaska State House

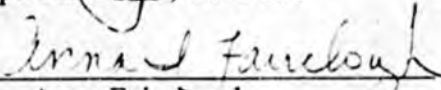
FROM: Rep. Carl Gatto and Rep. Craig Johnson
Co-Chairs, House Resources Committee

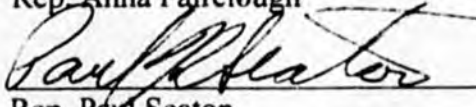
DATE: February 19, 2008

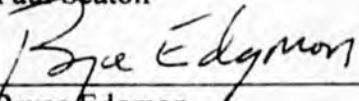
SUBJECT: Waiver of HB 295 from Committee

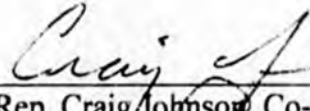
The undersigned members of the House Resources Committee request that HB 295, RECORDED OR FILED DOCUMENTS, be waived from committee. The bill was heard in Labor and Commerce committee action on February 15th and passed out without objection.



Rep. Carl Gatto, Co-Chair

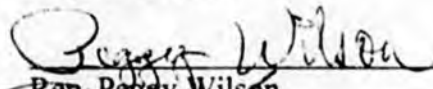

Rep. Anna Fairclough

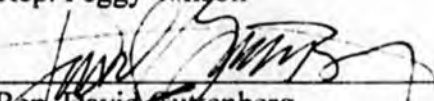

Rep. Paul Seaton


Rep. Bryce Edgmon


Rep. Craig Johnson, Co-Chair


Rep. Bob Roses


Rep. Peggy Wilson


Rep. David Guttenberg


Rep. Scott Kawasaki

Alaska State Legislature

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State Affairs Committee

Vice-Chairman
Economic Development, Trade & Tourism
Committee

Member
Judiciary Committee
Joint Armed Services Committee

Finance Subcommittees
Corrections
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety



A Communication From
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District 31 Anchorage

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February 19, 2008

To: Representative Johnson, Co-Chair
Representative Gatto, Co-Chair
House Resource Committee

Fr: Representative Bob Lynn *BL*

Re: HB 295 "Recorded or Filed Documents"

Please schedule HB 295 to be heard in the House Resource Committee at your earliest convenience. Advancing technological improvements in the Recorder's office are reaching the point to allow "instant recordation" and this bill cleans up the statute to allow this to happen. The bill passed out of Labor and Commerce today with no changes. Attached is a copy of the Bill and supporting documents. Thank you.

Attached Documents

Bill History/Action
House Bill 295 (25-LS1251\C)
Sponsor Statement
Sectional Analysis
Zero Fiscal Note (Natural Resources)

Alaska State Legislature

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Sponsor Statement **HB 295** *Recorded or Filed Documents*

Advancing technological improvements in the Recorder's office are reaching the point to allow "instant recordation." This Recorder's Office 'clean-up' bill amends three areas in statute to:

- Enable the return of original documents to the presenter at the time of recording
- Ensure all required recording information is located on the document
- Delete reference to providing facilities for outside entities to film or scan daily recordings
- Remove references to court authority over the Recorder's Office
- Update UCC forms referenced in statute to conform with national standards

The bill would also require that documents presented for recording contain the name of the recording district in which the document is to be recorded. Currently this information may be provided verbally or in a cover letter. The proposed change would reduce paperwork and simplify document retention because there would no longer be a need to convert verbal instructions into written instructions or to film and retain a cover letter or additional instructions concerning the recording district.

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Sectional Analysis

HB 295

Recorded of Filed Documents

Section 1: Amends AS 40.17, so that the original documents may be immediately returned to the presenter after recording. In addition, the change allows the Recorder's office to electronically return a document that was electronically submitted, rather than having to return the original document to the person designated on the document. This section also requires that the document contain the name of the recording district in which the document is to be recorded, rather than allowing the recording district to be stated verbally or in a cover letter.

Section 2: Updates AS 40.25.120 (c) by removing a requirement that the recorder furnish facilities for the purpose of photocopying public records for title plant purposes. This requirement was needed at one time due to extreme backlogs in processing documents, which is no longer needed because the recorder's office is able to meet the current demand for information. Updating this section will also remove reference to direction by the court as the recorder's office is no longer under its oversight.

Section 3: Authorizes the department to adopt regulations that specify which forms to be used for certain UCC filings.

Section 4: Allows the department to reject documents submitted for filing that are not on an approved form.

Section 5: Eliminates the use of outdated UCC forms currently pre-printed in their entirety in statute. These older forms require the disclosure of social security numbers which is not a requirement for filing the forms.

Section 6: Allows the department to proceed, prior to the effective date of the remaining sections of the bill, to promulgate regulations that could be in place by the bill's effective date.

Section 7: Allows the preceding Section 6, to occur immediately.

Section 8: Effective date is July 1, 2008.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number _____
Bill Version: HB295
() Publish Date: _____

Identifier (file name): HB295-DNR-Rec-02-14-08 Dept. Affected: Natural Resources
Title: Recorders/UCC Statute Clean Up RDU: Resource Development
Sponsor: Representative Lynn Component: Recorder's Office/UCC
Requester: HL&C Component Number: 802

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
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	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0

ANALYSIS. (Attach a separate page if necessary)

There is no fiscal impact for the Recorder's Office associated with implementation of this legislation.

Prepared by: Vicky Backus, State Recorder Phone: 907-269-8882
Division: Support Services - Recorder's Office/UCC Section Date/Time: 2/14/2008
Approved by: Thomas Irwin, Commissioner Date: 2/14/2008
Natural Resources