

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

7943 HOUSE LABOR & COMMERCE

H B

2 2 2

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 12, 1993

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 4/01

The LABOR AND COMMERCE Committee considered:

HB 222

HOUSE BILL NO. 222

USE OF RENTED PROPERTY/LAW VIOLATIONS

"An Act relating to landlords and tenants, to termination of tenancies and recovery of rental premises, to tenant responsibilities, to the civil remedies of forcible entry and detainer and nuisance abatement, and to the duties of peace officers to notify landlords of arrests involving certain illegal activity on rental premises."

RECOMMENDATIONS:

be replaced with _____ the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact Public Safety, LAW

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	
		<i>[Signature]</i>		<input checked="" type="checkbox"/>	

[Signature]
 CHAIRMAN'S SIGNATURE

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES
P.O. Box 56622
North Pole, Alaska 99705
(907) 488-0862

House District 34



White in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3745

House Of Representatives

SPONSOR STATEMENT

HOUSE BILL 222

House Bill 222 is identical to Senate Bill 155, based in part on the 1992 Senate Bill SB 35, in response to concern that current landlord-tenant laws are weighted in favor of protecting abusive tenants. House Bill 222 has three principal purposes:

1. First, the bill amends the forcible entry and detainer statutes to expedite the landlord's ability to evict a tenant who has committed certain violations of the rental agreement (failing to pay rent when due, damaging the premises, or holding the premises without a rental agreement or upon expiration of the lease).
2. Second, the bill makes the tenant's responsibility to maintain the dwelling unit more stringent and adds to the ability of a landlord to seek removal of an abusive tenant.
3. Third, the bill amends the nuisance abatement statutes to include relief from criminal offenses involving alcohol or drugs and also to provide a landlord with the opportunity to recover possession of premises under the forcible entry and detainer remedy for such criminal activity by the tenant.

HB 222 would provide much-needed protection for landlords as well as for responsible tenants from the damage caused by abusive tenants.

Problem

Tenant fails to pay rent when due.

Current Procedure

1. Landlord gives notice of nonpayment & intention to terminate rental agreement if rent is not paid.
See AS 34.03.220(b).

2. Tenant has 10 days to pay rent or vacate premises.
See AS 34.03.220(b).

3. If rent is not paid, then tenancy terminates, the landlord may terminate the rental agreement, & immediately seek to recover possession of the rental unit; in addition, it becomes a case of unlawful holding.
See AS 34.03.220(b).
Also see AS 09.45.090(1).

4. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint.
See AS 09.45.120.
Also see Civil Rule 85, Alaska Rules of Court.

5. If judge decides in favor of landlord, tenant will be served a court order to vacate premises; the time allowed varies.

6. If tenant still does not vacate premises, landlord can get writ of assistance that permits police to participate.

Proposed Procedure*

1. Landlord gives notice of nonpayment & intention to terminate rental agreement if rent is not paid.

2. Tenant has 5 days to pay rent or vacate premises.
See bill sec. 2 & 21.

3. If rent is not paid, then tenancy terminates, the landlord may terminate the rental agreement, & immediately seek to recover possession of the rental unit; in addition, it becomes a case of unlawful holding.

4. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint.

5. If judge decides in favor of landlord, tenant will be served a court order to vacate premises; the time allowed varies. The court may issue a writ of assistance at the same time if it so chooses.
See bill sec. 6.

* Changes underlined.

Problem

Tenant holds premises without written lease or agreement against landlord's wishes.

Current Procedure

1. Landlord serves tenant with notice to quit premises.
See AS 09.45.100

2. Tenant has 10 days to vacate premises.
See AS 09.45.110

3. If tenant remains after expiration of 10 days, it becomes a case of unlawful holding by force, & landlord may seek to recover possession of premises.
See AS 09.45.090
Also see AS 09.45.110

4. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint.
See AS 09.45.120
Also see Civil Rule 85, Alaska Rules of Court

5. If judge decides in favor of landlord, tenant will be served a court order to vacate premises; the time allowed varies.

6. If tenant still does not vacate premises, landlord can get writ of assistance that permits police to participate.

Proposed Procedure*

1. Landlord serves tenant with notice to quit premises.
See AS 09.45.100

2. Tenant must vacate premises immediately.
See bill sec. 2 & B

3. If tenant remains, it becomes a case of unlawful holding by force, & landlord may seek to recover possession of premises.
See bill sec. 2 & B.

4. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint.
See AS 09.45.120
Also see Civil Rule 85, Alaska Rules of Court

5. If judge decides in favor of landlord, tenant will be served a court order to vacate premises; the time allowed varies. The court may issue a writ of assistance at the same time if it so chooses.
See bill section 6

* Changes underlined.

Problem

Tenant continues in possession of premises at expiration of lease against wishes of landlord.

Current Procedure

1. Landlord serves tenant with notice to quit premises.
See AS 09.45.100

2. Tenant has 10 days to vacate premises.
See AS 09.45.110

3. If tenant remains after expiration of 10 days, it becomes a case of unlawful holding by force, & landlord may seek to recover possession of premises.
See AS 09.45.090
Also see AS 09.45.110

4. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint.
See AS 09.45.120
Also see Civil Rule 85, Alaska Rules of Court

5. If judge decides in favor of landlord, tenant will be served a court order to vacate premises; the time allowed varies.

6. If tenant still does not vacate premises, landlord can get writ of assistance that permits police to participate.

Proposed Procedure*

1. Landlord serves tenant with notice to quit premises.
See AS 09.45.100

2. Tenant has 5 days to vacate premises.
See bill sec. 2 & 5

3. If tenant remains after expiration of 5 days, it becomes a case of unlawful holding by force, & landlord may seek to recover possession of premises.
See bill sec. 2 & 5

4. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint.
See AS 09.45.120
Also see Civil Rule 85, Alaska Rules of Court

5. If judge decides in favor of landlord, tenant will be served a court order to vacate premises; the time allowed varies. The court may issue a writ of assistance at the same time if it so chooses.
See bill section 6.

* Changes underlined.

Problem

Tenant violates condition of lease or condition of AS 34.03.120(a).

Current Procedure

1. If the breach is one materially affecting health & safety, the landlord may give tenant written notice specifying both the details of the breach & that the rental agreement will terminate in 20 days. See AS 34.03.220

2. If breach is able to be remedied & tenant adequately does so, rental agreement will not terminate. See AS 34.03.220

3. If breach is not remedied in 10 days, rental agreement terminates as specified in notice. See AS 34.03.220

4. If tenant remains after expiration of 20 days, it becomes a case of unlawful holding by force, & landlord may seek to recover possession of premises. See AS 09.45.090 Also see AS 09.45.110

5. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint. See AS 09.45.120 Also see Civil Rule 85, Alaska Rules of Court

6. If judge decides in favor of landlord, tenant will be served a court order to vacate premises; the time allowed varies.

7. If tenant still does not vacate premises, landlord can get writ of assistance that permits police to participate.

8. If same breach occurs again within 6 mos., landlord may terminate tenancy at 10 days' notice. See AS 34.03.220

9. There is another process for breaches of this sort that is set out in AS 09.45, but AS 34.03.220 would probably have legal precedence as it was adopted at a later date.

Proposed Procedure*

1. Landlord serves tenant with notice to quit premises that specifies the details of the breach and that the rental agreement will terminate in 24 hours. See bill sec. 20

2. If breach is able to be remedied & tenant does so to the satisfaction of landlord, rental agreement will not terminate. See bill sec. 20

3. If breach is not remedied in 24 hrs. or is not able to be remedied, then the tenancy is terminated & the tenant must quit premises immediately. See bill sec. 20

4. If tenant remains after expiration of 24 hrs., it becomes a case of unlawful holding by force, & landlord may seek to recover possession of premises. See bill sec. 2 & 5

5. Court must schedule trial no earlier than 2 days after receipt of summons by tenant & no later than 15 days after landlord files complaint.

6. See (6) & (7) above; court may do both at same time. See bill sec. 6

* Changes underlined.

Problem

Tenant engages in an illegal activity in rental unit (or knowingly permits others to do so) involving alcohol, controlled substances, imitation controlled substances, or prostitution.

Current Procedure

1. Current statutes do not specifically address the tenant's responsibility not to engage in illegal activity involving alcohol or controlled substances.

2. If tenant is suspected of engaging in prostitution, atty. general or a citizen may bring action in court to enjoin the nuisance & person(s) maintaining it. See AS 09.50.180

3. If court determines that tenant is engaging in prostitution, tenant is guilty of maintaining a nuisance, & court shall issue an order of abatement that closes the bldg. where nuisance took place for one year. See AS 09.50.170 and AS 09.50.210

4. If landlord was unaware of activity, court may release premises to him upon fulfillment of certain conditions. See AS 09.50.230

Proposed Procedure

1. If tenant engages at premises in illegal activity involving alcohol/controlled substances, landlord may deliver notice to quit. See bill sec. 2

2. Tenant has 5 days to vacate premises. See bill sec. 2

3. If tenant remains after expiration of 5 days, it becomes a case of unlawful holding by force, & landlord may seek to recover possession of premises. See bill sec. 2

4. If tenant is accused of engaging in prostitution or illegal activity involving alcohol/controlled substances, court may consider evidence of reputation w/in a community to prove the existence of a nuisance. See bill sec. 10

5. If court determines that tenant did commit alleged violation, then tenant is guilty of maintaining a nuisance. See bill sec. 8

* Changes underlined.

(Continued on next page.)

6. The court shall enter an order of abatement that terminates the rental agreement & closes the bldg./place where the activity took place.
See bill sec. 11

7. If landlord was unaware of illegal activity, court may release premises to him/her upon fulfillment of certain conditions.
See bill sec. 12

8. An order of abatement shall be presumptive evidence of an unlawful holding by force and it shall automatically terminate the rental agreement.
See bill sec. 7 & 22

9. If tenant fails to vacate premises after court issues order of abatement, landlord may obtain writ of assistance from the court.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 222

Revision Date: March 24, 1993
 Title: "...relating to landlords and tenants...termination of tenancies...recovery of rental premises..."
 Sponsor: Representative James
 Requestor: Representative James

Department Affected: Department of Law
 BRU: Legal Services
 Component: Fair Business Practices
 COMPONENT SERIAL NO. 1823

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	10.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.0	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF	10.0					
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	10.0	-0-	-0-	-0-	-0-	-0-

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact -0-

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis.

Prepared by: Richard I. Peques, Director
 Division: Administrative Services Division
 Approved by Commissioner: Charles E. Cole, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: March 24, 1993
 Date: March 24, 1993

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 222

ANALYSIS (Continued):

This bill amends several statutes relating to termination of tenancies and recovery of rental premises for nonpayment of rent and certain illegal activities. The bill adds illegal activity involving alcoholic beverages, a controlled substance, or an imitation controlled substance to the list of activities that constitute a nuisance that may be enjoined and abated in a place used for the activity. All of the changes will have the effect of substantially changing the information the Department of Law provides to the public in its pamphlet on landlord and tenant rights. The department's publication of the pamphlet is mandated by AS 44.23.020(b)(8).

The department therefore requests \$10,000 to revise and republish the information pamphlet. Of this amount, \$2,500 will be used to publish a pamphlet supplement in the state Bar Association's monthly newsletter, and \$7,500 will be used to publish a revised pamphlet for use by the general public. These funds should be sufficient to publish between 7,500 and 10,000 pamphlets.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: HB 222

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An act relating to landlords and tenants termination." BRU: Alaska State Troopers
 Sponsor: Representative James Component: Criminal Investigations Bureau
 Requestor: Representative James COMPONENT SERIAL NO. 830

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

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	19.0	19.0	19.0	19.0	19.0	19.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	19.0	19.0	19.0	19.0	19.0	19.0
CAPITAL						
REVENUE FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	19.0	19.0	19.0	19.0	19.0	19.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	19.0	19.0	19.0	19.0	19.0	19.0

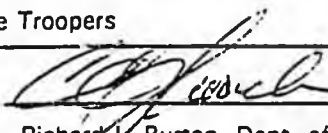
POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 3/23/93
 Approved by Commissioner:  Date: 3/24/93
 Agency: Richard V. Burton Dept. of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

HB 222 amends existing landlord-tenant laws to allow property owners to terminate rental agreements for residential property with renters engaged in certain alcohol and drug violations. The bill creates a duty on the part of peace officers who arrest persons for certain alcohol, drug, and imitation drug offenses committed in residential rental property to make a reasonable effort to discover the identity of the property owner and to notify the owner of the arrest either in person or at the last address listed on tax records and at any other address known to the peace officer(s).

The notice requirement found in Sec. 1 applies to alcohol violation arrests for sales from unlicensed premises where prohibited by local option; notice requirements found in Sec. 13 apply 1) to drug violations involving the manufacture or distribution of all drugs except small amounts of marijuana; 2) to imitation drug violations involving the manufacture or distribution of imitation drugs, or 3) possession of certain precursor chemicals used in the manufacture of imitation drugs.

Although the Alaska State Troopers estimates approximately 130 arrests for violation of the "local option" laws annually, they find no arrests for violation of the statute AS 04.11.010(b) cited in Sec. 24. The Troopers make approximately 500 arrests annually for applicable drug offenses. It is expected that approximately 85% of the drug offenders reside in rented property.

Based upon past arrests for these offenses, it is estimated that the Department of Public Safety will have to notify approximately 425 property owners per year.

There will be fiscal impact upon the Alaska State Troopers. For arrests requiring a written notice, we estimate that research required to identify the property owner, determine the last address listed on tax roles and any other addressed known to police, and to prepare the written notice, will take approximately two staff hours of research time per occurrence. There will be costs for materials, preparation time, and postage.

Since these offenses will be spread throughout the state, no one person would handle them all; the impact would be felt by the detachment personnel handling the cases. Overtime will be needed for this additional work.

Overtime calculations

425 Incidents x 2hrs x \$22.31per hr.*= \$18,963.50

*Clerk Typist III, Range 8/A overtime rate per PACS.

Myrna Sheets
1028 Evergreen St #1
Fairbanks, Alaska 99709

March 20, 1993

Dear Madam

I strongly urge you to support SB155/HB222, the revision of the Landlord/Tenant Act.

I personally have been on both ends of the spectrum and understand fully the problems.

Having made a very large investment in our properties, we feel very helpless not being able to have protection for our property or being unable to collect rents that are owed us.

As a Landlord, a few of the issues that are of great concern are as follows:

1. This does not hurt good Tenants.
2. No protection for Landlords.
3. The District Attorney says these are civil matters on abusive Tenants.
4. Vandalism by Tenants or acquaintances not covered by insurance, nor by law.
5. Too long to remove a bad Tenant, as the law stands now.
6. Even when the Landlord fears physical violence, the law does nothing.

Your support for this bill would be greatly appreciated and would be a great help for the Landlord and good Tenants alike. It is obvious that the laws as they stand now are very one sided---for the Tenant.

Respectfully,

Myrna Sheets

Myrna Sheets
Owner/Manager
Taku Apartments

Betty R Johnson
1508 Haselton Rd
Ftks, AK 99709
March 26, 93

Rep Jeanette James,

I want to thank you for introducing HB222 which I strongly support. I have written letters of support to Reps. Davies, Brice, Sutton, Vegay & Theriault, as well as Sens. Frank, Leman, Miller, Taylor, Ellis, Duncan, Taylor, Halford, Jacko, Worley & Little. Being a small landlord (only 2 units) of limited means I have really felt the pain of non-paying tenants who trashed the place before they left. I not only can't afford legal fees but can hardly hope to collect from people who don't & won't have anything. I think this bill would be of help in the future.

Thank you,
Betty R Johnson

Rep. Jeannette James,

Help, Help to give
Landlords equal rights —

Please, Please

Support Efforts to
revise landlord tenant
Legislation.



Jerry Hassel
P.O. Box 49
Ester, AK 99725

Thank you,
Jerry
Jerry Hassel

Library

TO: HOUSE LABOR and COMMERCE COMMITTEE

RE: Concern about efficacy of concept behind HB 222

Date: 3/31/93

From: James E. Fisher, attorney, 633 Harris St, Juneau

This plea is made **as, and from,** the viewpoint of an attorney with 20 years experience in private practice of law, **and** who has sympathy for the conflicting pressure(s) upon legislators. In those 20 years I represented only landlords, and from that perspective comes this amicus comment on HB 222.

HB 222's legislative history appears based on:

- a) anecdotal experience, which may overlook areas of unintended impact, which leads to the next assumption;
- b) that the proposed HB 222 will protect an unsuspecting landlord against those to be called "outlaw" tenants.

First, the outlaw tenant probably causes most, if not all, of the anecdotes related as a reason for HB 222. Such a person, or persons, will evade a rental contract regardless of legislation existing or proposed. To suggest a statute can stop such behavior is like having confidence murder will be deterred by laws prohibiting killing people.

The best way to avoid the outlaw tenant is scrupulous attention to existing law, i.e., get deposits, check references closely, if rent is late immediately advise that such performance will not be tolerated, etc.

What should really worry legislators is the problem of raising constituent expectations that HB 222, or other changes to existing law will solve the "outlaw" tenant problem. When the proposed law doesn't work, what next?

BILL NO: HB 222

DATE: March 31, 1993

TITLE: "An Act relating to
landlords and tenants. . ."

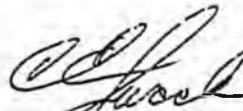
CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

HB 222 amends existing landlord-tenant laws to allow property owners to terminate rental agreements for residential property with renters engaged in certain alcohol and drug violations. The bill creates a duty on the part of peace officers who arrest persons for certain alcohol, drug, and imitation drug offenses committed in residential rental property to make a reasonable effort to discover the identity of the property owner and to notify the owner of the arrest either in person or at the last address listed on tax records and at any other address known to the peace officer(s).

Based upon past arrests for these offenses, it is estimated that the Department of Public Safety will have to notify approximately 425 property owners per year.

There will be fiscal impact upon the Alaska State Troopers. For arrests requiring a written notice, we estimate that research required to identify the property owner, determine the last address listed on tax roles and any other address known to police, and to prepare the written notice, will take approximately two man hours of research time per occurrence. There will be costs for materials, preparation time, and postage. Where tax roles are computerized, this research time will be less, but will be offset by the majority of cases that will have to be hand searched in person at the borough tax office.

Although the provisions of this bill will create additional work for peace officers, the Department of Public Safety recognizes the problems created for property owners who find that they have rented to alcohol or drug violators. Allowing property owners to evict arrested drug and alcohol violators would help neighborhoods take an active role in fighting the war on drug and alcohol abuse. This law gives property owners a tool to help clean up their rental properties.



Richard L. Burton
Commissioner

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2150
FAX (907) 465-2029
Mail Stop 3101

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

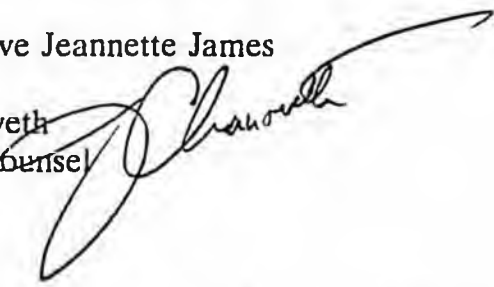
MEMORANDUM

March 30, 1993

SUBJECT: House Bill 222, amending the state's landlord-tenant laws (AS 34.03) and the related civil remedy of forcible entry and detainer (AS 09.45.060 - 09.45.160), and making related changes (Work Order No. 8-LS0832\A)

TO: Representative Jeannette James

FROM: Jack Chenoweth
Legislative Counsel



House Bill 222 duplicates and extends changes proposed by the Senate-passed version of last session's Senate Bill 35 (CSSB 35 [Judiciary]).

This memo is by way of response to your request for a sectional analysis of the bill.

* * *

The bill has three principal purposes, all applicable to the landlord-tenant relationship:

First, the measure substantially amends statutes applicable to the forcible entry and detainer remedy (AS 09.45.060 - 09.45.160) to expedite a landlord's ability to evict a tenant for failure to pay rent when due and for a tenant's damage to the landlord's property.

Second, provisions of the bill revise the obligation of a tenant under the state's Uniform Residential Landlord and Tenant Act (AS 34.03) and add to the ability of a landlord to seek removal of an abusive tenant.

Third, the measure amends the state's nuisance abatement statutes (AS 09.50.170 - 09.50.240) expanding that remedy to cover the

Representative Jeannette James

March 30, 1993

Page 2

identified criminal offenses involving alcohol or drugs, allowing persons to seek redress under the nuisance abatement law for criminal activity in premises that constitutes a nuisance. As a supplemental remedy, the measure amends statutes to give a landlord the opportunity to recover possession under the forcible entry and detainer remedy for that criminal activity by the tenant.

These provisions are addressed topically rather than sequentially.

EXPEDITED EVICTION OF TENANT FOR FAILURE TO PAY RENT WHEN DUE:

Proposed bill section 2 amends AS 09.45.090 in part as follows: The amendment to (1)(A) reduces from ten days to five days the period in which a landlord must wait after making written demand for possession of rented premises to commence forcible entry and detainer proceedings to secure a tenant's eviction in the event the tenant fails to pay rent when due. No notice separate from that required to be given under the Uniform Residential Landlord and Tenant Act (AS 34.03), as amended by bill section 21, is required.

Bill sections 3 and 4 make related changes. These sections, read together, carry forward the current requirement of allowing three days additional notice if, under the forcible entry and detainer remedy, notice to the tenant to quit is provided by mail.

Bill section 5 adds authority by which, at the end of a forcible entry and detainer action, the court may enter an order to vacate against the tenant and, at the same time, may provide a landlord who requests a writ of assistance to recover possession of the premises.

As has been previously noted, a related change is made in the Uniform Residential Landlord and Tenant Act (AS 34.03) by bill section 21. The change made to AS 34.03.220(b) conforms the number of days in which the tenant must pay rent after receiving written notice of rent nonpayment.

REVISION OF TENANT OBLIGATIONS:

I

Several bill sections are included to respond to a concern that a tenant be held "responsible for damage done by him/her or by his/her guests." Current law--AS 34.03.120--assigns certain responsibilities in the landlord-tenant relationship to the tenant. Among them are the duty to use facilities and appliances in a reasonable manner, and the duty not to deliberately or negligently abuse the premises or to knowingly allow others to do so. Changes to AS 34.03.120 made by bill section 18

make the tenant's obligations more stringent by eliminating the qualifying adjectives from AS 34.03.120.

Additionally, making the tenant's obligations more stringent implicates the definition of "damages" for purposes of ascertaining whether or not a tenant is due a refund of all or any portion of a security deposit. "Damages" is, in current law, a term whose definition is divided between AS 34.03.070(b) and AS 34.03.360(18). Bill section 15 reworks the definition of "damages," and bill section 26 repeals AS 34.03.360(18). As a result, if this bill passes in this form, no one need worry about whether a tenant acted intentionally or negligently. Rather, if the tenant caused any damage beyond wear and tear due to 'normal, nonabusive living,' the tenant may be held responsible for damages.

II

The bill incorporates a checklist approach "that lists the items in the apartment and describes the condition of these items and of the apartment itself." It distinguishes between a premises condition statement and a contents inventory. Bill section 14 gives the landlord the right to require preparation of these documents and indicates how the documents may be made part of the rental agreement. Bill section 16 gives the landlord the right to require the tenant to execute a statement and inventory before making possession of the premises available. At the same time, the landlord is required to indicate to the tenant how the information on the statement/inventory may be used. Bill section 23 establishes the statement/inventory as "presumptive evidence of the condition of the premises and its contents at the commencement of the term of the period of occupancy" in order to support any later claim for damages. Bill section 17 addresses the status of a statement/inventory in the event a landlord sells to a purchaser leaving the tenant in residence.

III

As to the landlord's having the ability to seek summary eviction, see the revision of AS 34.03.220(a) in bill section 20 and the addition made to AS 09.45.110(2) in bill section 5. The changes to AS 34.03.220(a) made by bill section 20 reflect the toughening of the tenant obligation requirements of current AS 34.03.120--it becomes AS 34.03.120(a) by this bill--so that any noncompliance with an element of the rental agreement or of a requirement set down in AS 34.03.120(a) would allow the landlord to commence proceedings to recover tenancy on minimal notice, replacing the 20 day notice of current law. The tenant has an opportunity to take corrective action to remedy the breach but the remedies need not be just "adequate" but, instead, must "satisfy the landlord."

NUISANCE ABATEMENT:

Bill section 8 revises AS 09.50.170. It deletes in that section outdated references to "lewdness, assignation, . . . or any other immoral act"--currently part of the existing basis for nuisance abatement relief--retaining the reference in the current law to "prostitution" and adding an illegal activity involving alcoholic beverages, a controlled substance, or an imitation controlled substance as grounds for relief under the nuisance abatement statutes.

Bill section 9 defines the three additional criminal activities that may trigger nuisance abatement relief, cross-referencing them to the meanings of those terms set out in the Uniform Residential Landlord and Tenant Act.

Following the California statutory model recommended to me while the bill was under consideration during the 17th Legislature, I included bill section 10, a new section, AS 09.50.175, that would allow the court to consider evidence of reputation within a community if relief is sought under the expanded version of the nuisance abatement relief statute.

Bill section 11 recasts existing law under which a court may issue a nuisance abatement order. The principal substantive change adds the underlined material in (a)(1) and directs the termination of the lease or rental agreement on premises subject to the abatement order if the tenant has been given notice of the nuisance abatement proceedings.

The substantive change made by bill section 12 adds flexibility in the abatement remedy by giving the court latitude to determine the amount of bond with sureties necessary when premises under abatement are to be returned to the owner rather than maintaining the requirement that the value of that bond reflect the full value of the property. The provision also adds, as a new subsection (c), a statement to clarify that, if an abatement order is subsequently canceled because of compliance with (a) of that section, the related lease or rental agreement--terminated with the issuance of the abatement order under the authority of AS 09.50.210(a)(1) [bill section 10]--is not automatically revived.

Bill section 22 directs that, under the Uniform Residential Landlord and Tenant Act, an order of abatement entered by the court terminates the related rental agreement.

Bill section 24 identifies the particular activities involving alcoholic beverages, controlled substances, and imitation controlled substances that warrant relief under the expanded nuisance abatement provisions. Generally, these statutes identify sales and possession with intent to sell in violation of law. The measure uses reference to "a violation" of one of the criminal statutes cited.

FORCIBLE ENTRY AND DETAINER REMEDY AS ALTERNATIVE OR SUPPLEMENT TO NUISANCE ABATEMENT:

Proposed bill section 2 amends AS 09.45.090 in part as follows:

-- The amendment made to subparagraph (1)(B) sets five days as the period in which a landlord must wait after giving notice to quit and making written demands for possession of rented premises to commence a forcible entry and detainer proceeding in the event the tenant has violated provisions of the Uniform Residential Landlord and Tenant Act against knowing engagement in certain illegal activities involving alcohol or drugs on premises or for violation of a similar provision in rented premises not covered by that Act.

-- The amendment made to paragraph (3) authorizes the landlord to use the forcible entry and detainer remedy to enforce an order of abatement. Under the provision, the landlord may, after obtaining the abatement order under AS 09.50.-210(a), seek immediate relief.

A related provision, bill section 7, a new section, authorizes the use of an abatement order, obtained at the end of a trial under the nuisance abatement statute, to serve as prima facie evidence of unlawful holding of premises by force for purpose of the hearing required by the forcible entry and detainer process.

OTHER RELATED CHANGES:

Bill sections 1 and 13, adding AS 04.21.075 and AS 17.30.160, respectively, impose on peace officers the requirement to notify a landlord when a tenant has been arrested for violation of one of the identified criminal offenses involving alcohol or drugs.

Proposed bill section 2 amends AS 09.45.090 in part as follows: The addition of material in (2)(B) is included in order to authorize a landlord to recover premises after a notice to quit is given for the tenant's breach of a condition or covenant **other than** nonpayment of rent or engaging in identified criminal activity involving alcohol or drugs.

Bill section 19 adds as a tenant's duty the obligation of the tenant not to engage in illegal activities on rented premises or to knowingly allow others in the premises to do so.

The measure's bill section 25 adds a codified section, proposed AS 34.05.100, extending to tenancies not covered by the Uniform Residential Landlord and Tenant Act the provisions establishing the duty on the tenant not to use the rented premises for illegal activities. Under this new section, noncompliance with the provision is a

Representative Jeannette James

March 30, 1993

Page 6

basis for seeking relief through the nuisance abatement process and, as with bill section 22 above, an order of abatement covering a premises that falls within this section terminates the rental agreement.

* * *

JBC:pl

93-253.plm

Sam Helms
1524 Stacia St.
Fairbanks, Ak 99701

March 31 1993

Representative Bill Hudson, Chair
House Labor & Commerce Committee

Dear Representative Hudson:

I want to express my support for HB222. This bill is an effort to equalize the law as it pertains to rentals. Presently the Landlord Tenant Act is an act which predominantly addresses tenants rights.

I have experienced extraordinary damage through malicious destruction by a tenant and his friends. As the law presently exists, there is no recourse for me. I was required to give that tenant 20 days notice to quit destroying my property or at the end of 20 days he would have to vacate the premises. That gave him 20 days within which to do over \$10,000 worth of destruction to my property. I was told it was a "civil matter". I believe malicious vandalism of over \$500 by the tenant should be treated as a criminal act. This is not the case at the present time.

You have before you an explanation of what this bill will do. I want to point out that all the protections for tenants that presently exist continue to exist under this bill. We have taken nothing away from the good tenants that Act is intended to protect. We are interested in protecting ourselves against those few severe cases that we are presently helpless to do anything about. As a member of that minority class in Alaska, the taxpayer, landlords are only asking for a measure of justice that is presently denied them.

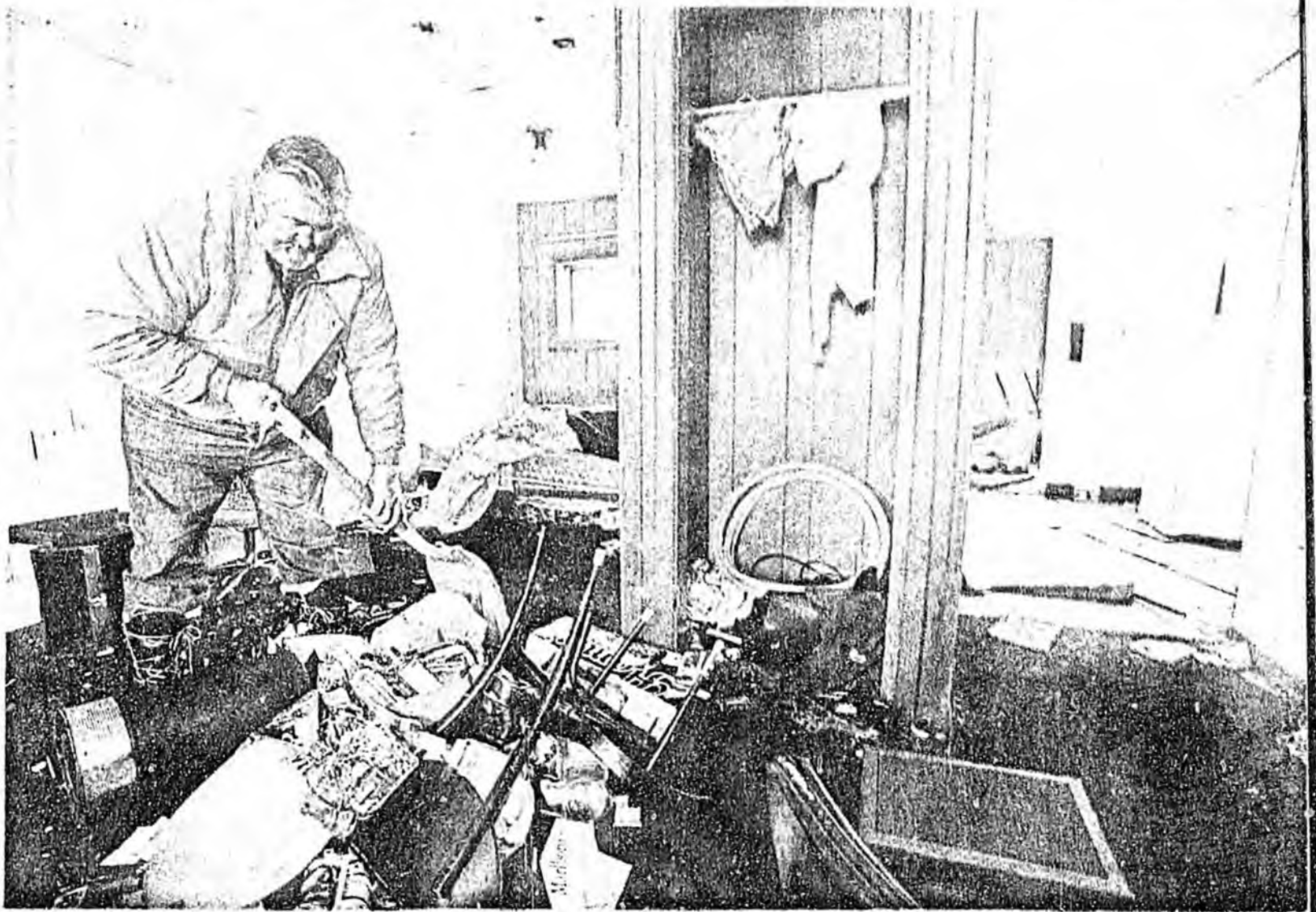
Please support HB222. There are a great number of landlords that would be extremely grateful.

Yours Truly,



Sam Helms
Landlord
Enclosures (2)

cc: Representative Joe Green
Representative Eldon Mulder
Representative Brian Porter
Representative Bill Williams
Representative Joe Sitton
✓ Representative Jerry Mackie



Dan Hyde/News-Minor

TRASHED OUT—Landlord Sam Helms scoops up garbage in a house he rents out in South Fairbanks. Helms says a former tenant caused \$10,000 damage to the home, but the renter denies any wrongdoing.

Landlord blames law for home's disorder

By **KATE RIPLEY**
Staff Writer

For 17 days Sam Helms watched as his tiny rental home at 1536 Stacia St. was trashed.

Helms claims unfair state landlord-tenant laws rendered him helpless in the case against his 20-year-old renter, George Cooper Jr.

Cooper moved into the rental home, one house down the street from Helms' own house, Oct. 15, Helms said. The landlord pro-rated the \$385 monthly rent and charged a \$200 damage deposit.

Problems with Cooper and an endless stream of friends visiting the home started almost immediately, Helms alleged. The

result is \$10,000 in damaged property, he said.

"There were continuous parties . . . There was shooting, urinating in public, fighting. It was keeping the neighbors awake," said Helms, 57, the husband of former Borough Mayor Juanita Helms.

Police officers responded when Helms called, but told him it was a civil matter, Helms said. Five days after Cooper moved in, Helms gave the renter the required 20-days notice under state law for eviction.

Then it was a matter of waiting.

"As soon as I gave him (Cooper) the eviction notice, he had 20

days to destroy my place," Helms said.

Cooper, a convicted felon, eventually was arrested Nov. 6 for violating his probation and was removed from the house, according to probation officer Lou Anne Maxwell. The man is being held without bail at Fairbanks Correctional Center.

The felony conviction stemmed from a July 1990 second-degree forgery. Cooper also was convicted of fraudulent use of a credit card, a misdemeanor.

Maxwell said an anonymous caller told her Cooper and other under-aged youths were drinking at the Stacia Street home. He also allegedly was keeping com-

pany with another convicted felon—not allowed under terms of his probation, Maxwell said.

Cooper gained media attention two years ago after a tragic vehicle accident in the village of Ruby claimed both of his legs.

While the probation violation arrest removed Cooper from Helms' rental home, the landlord said Fairbanks police should have arrested him before it got to that point.

"The police call it a civil matter, when it's malicious destruction," Helms said.

But John Shover, Fairbanks public safety director, said claiming a renter destroyed

See **LANDLORD** on Back Page

PETITION

①

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	Harry Jenkins	HARRY JENKINS	210 10 TH AVE	X	1		
2	Don Wadle	DON WADLE	4888 Old Airport Hwy	X	11		
3	Delores Linzner	DELORES LINZNER	1213 Tule St.			✓	
4	Dorothy E. Dallas	Dorothy E. Dallas	450 Sun Way				✓
5	Dois D. Dallas	DOIS D. DALLAS	450 SUN WAY				✓
6	Opal Sleep	Opal Sleep	311 Birch St.	X	1		
7	Marilyn Bushey	MARILYN BUSHEY	1019 VERNAL				✓
8	Sherril Hutchison	Sherril Hutchison	1019 VERNAL				✓
9	Wilma Wadle	WILMA WADLE	4888 Old Airport Rd.	X	11		
10	Pauline Cornell	PAULINE CORNELL	921 O'Connor Rd				✓
11	Mathilde Link	MATHILDE LINK	665-10th Dec #206				✓
12	Shirley Christensen	Shirley Christensen	1616 Mary Ann				✓
13	Ruby Blair	Ruby Blair	83 Slater Dr # 14	Gen. manager	60		
14	Ken V. Blair	Ken V. Blair	83 SLATER DR # 14	manager	60		
15	Gary Lundgren	Gary Lundgren	3400 Airport Way	OWNER	24		
16	James Rothmeyer	JAMES ROTHMEYER	4001 Geist Rd Suite 7	OWNER	3		
17	Sulley Rothmeyer	Sulley Rothmeyer	4001 Geist Rd Suite 7	owner	3		
18	Tudy Baird	Tudy Baird	306 Slater St.				✓

PETITION

(2)

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>[Signature]</i>	TER A. VIGSBATH	1026 Evergreen #9 - Apt			✓	
2	<i>[Signature]</i>	LINDA WALTER	1025 Evergreen Apt 4			✓	
3	<i>[Signature]</i>	Andrea Gillitzer	1026 Evergreen Apt 11			✓	
4	<i>[Signature]</i>	Brian Shaw	1028 Evergreen St #2			✓	
5	<i>[Signature]</i>	George H. Wilson	Mail P.O. Box 82825-99708 Res. 116 Forget Me Not Ln. Col. AK			✓	
6	<i>[Signature]</i>	Emogene Wilson	Res. 116 Forget Me Not Lane			✓	
7	<i>[Signature]</i>	PATRICIA L. WIRATE	1018 Dogwood FBKS, AK. 99709				✓
8	<i>[Signature]</i>	BENJAMIN FEJERICKS	1018 Dogwood 99709				✓
9	<i>[Signature]</i>	John A Pyne	1700 Satya Cir. AK 99709				✓
10	<i>[Signature]</i>	JO ANN M PyNE	1700 Satya Cir. AK 99709				✓
11	<i>[Signature]</i>	Carol Hoewisch	1026 Evergreen St #2			✓	
12	<i>[Signature]</i>	MARY EBERHART	1028 EVERGREEN # 3			✓	
13	<i>[Signature]</i>	Lisa Shaw	PO Box 7511			✓	
14	<i>[Signature]</i>	RITA E. GALLAGHER	2504 LISA AVE DR NORTH, PALM AK 99705				✓
15	<i>[Signature]</i>	ELAINE SIMONIS	1330 WALKER RD N. PALM AK 99705				✓
16	<i>[Signature]</i>	David Funn	3227 B...				✓
17	MARY GARRETT	Mary Garrett	117 Kentuckiana Way.				✓
18	CHARNEY A. GARRETT	Charney A. Garrett	117 Kentuckiana Way				✓

Sam Hems - 452 3849

Ed Willis 456 3900

PETITION

Jerry Hassel

3

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	Donald R. Blanc	Donald R Blanc	415 5 th Ave ^{Fair} 99701	X	66		
2	Theresa Anders	Theresa Anders	160 #2 ^{FBI} Syracuse ^{AK} 99701			X	
3	Mary Reece	Mary Reece	1725 University ^{FBKS}			X	
4	Kimberly R. Salzer	Kimberly RT Salzer	658 Fairbanks Ave ^{B1} 99701			X	
5	Brent Siegel	BRENT Siegel	533 ^{FBKS} PANORAMA DR. 99701			X	
6	Regina Thomas	Regina THOMAS	5010 ^{Arch 9992} Century				X
7	Nancy A. Rosolowski	Nancy A. Rosolowski	543 Craig Ave ^{FBI} 99701				X
8	Tami To Dake	TAMI To Dake	1941 ^{NP} Christa				X
9	Ginnie K Zinza	Ginnie K Zinza	P.O. Box 74026 ^{FAK} 99707				X
10	Jackie M. Shipman	JACKIE M. SHIPMAN	P.O. Box ⁵⁰⁹⁷⁶ NP 99705				X
11	Terry Ashcroft	TERRY R IEN	P.O. Box 81570				X
12	Sandra George	Terry Ashcroft	415 5 th Ave ^{FBI} 99701				X
13	David Salmon	SANDRA GEORGE	415 5 th Ave ^{#300} ^{FBK} 99701			X	
14	Jim Nikolai	David Salmon	Box 54 ^{Chattanooga} AK 99702				X
15	Domita Dates	JIM NIKOLAI	Box 51 ^{NIKOLAI} 99701				X
16	M. AFON BLANC	Domita Dates	04 ^{Glenn} AK #2				X
17		M. AFON BLANC	415 5 th Ave ^{Box AK} 99701	X	66		

PETITION

4

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No.Units	Tenant	Other
1	<i>Don Brakefield</i>	Don Brakefield	P.O. Box 73238			X	
2	<i>Lana Wegner</i>	LANA WEGNER	1031 NORTHWOOD FBKS				X
3	<i>M. Wegner</i>	Michael E. Wegner	1031 NORTHWOOD Ln, FBKS AK				X
4	<i>Toni White</i>	Toni White	PO BOX 60081 FBKS			X	
5	<i>H. P. Reed</i>	Gk. Reed	P.O. Box Ester AK 99725			X	
6	<i>Anna L. Michells</i>	ANNA Michells	PO Box 74804 FBKS 99707			X	
7	<i>Cathy Gabriel</i>	Cathy Gabriel	PO Box 73316 FBKS	X	3		
8	<i>Larry Minter</i>	Larry Minter	506 Sprucewood FBKS			X	
9	<i>Bill Melchert</i>	Bill Melchert	3615 BRADDOCK ST FBX	X	1		
10	<i>Donald W. Winters</i>	DONALD W. WINTERS	2133 BRIDGEWAY FBX				X
11	<i>Rick Sadder</i>	Rick SADDLER	1828 KENNEDY				X
12	<i>Steve Farley</i>	STEVE FARLEY	P.O. Box 75148 FBKS ⁹⁹⁷⁰⁷			X	
13	<i>Jeff Hensy</i>	JEFF HENSCY	2045 Lakeview Terrace			X	
14	<i>Teri Melchert</i>	TERI MELCHERT	3615 BRADDOCK St FBKS	X	1		
15	<i>Joe A. Zimmerman</i>	Joe Zimmerman	P.O. Box 5613 NP 99705				X
16	<i>Daniel L. Gorrod</i>	DANIEL L. GORROD	2292 Farmigan Way NP 99705				X
17	<i>Jeff Ehler</i>	JEFF EHLERT	P.O. Box 1566 FBKS 99707				X
18	<i>Tawn F. Smith</i>	TAWN F. SMITH	2519 KENNEDY NP 99705			X	

PETITION

5

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Lee Worsham</i>	Lee WORSHAM	1303 O'connor	✓	25		
2	<i>Barbara Dowdy</i>	Barbara Dowdy	1051 Eastwood Lane				✓
3	<i>Theresa O'Kelley</i>	THERESA O'Kelley	P.O. Box 70521	✓	3		✓
4	<i>Phyllis Kimm</i>	Phyllis Kimm	P.O. Box 84466 FBI Plaza	✓	4		
5	<i>Virgil Brunning</i>	VIRGIL BRUNNING	996 Caprit Alley	✓	1		✓
6	<i>Donna Gatto</i>	DONNA GATTO	PO Box 58619 99711				✓
7	<i>Kay L. Hudson</i>	Kay L. Hudson	PO Box 70104 99707	✓	1		✓
8	<i>Audette Koch</i>	AUDETTE KOCH	Box 30 ESTERAK	✓	2		
9	<i>1524 Stacia</i>	1524 STACIA	1524 STACIA	✓	7		
10							
11							
12							
13							
14							
15							
16							
17							
18							

PETITION

6

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Stephan B...</i>	Butler, Stephan	C Co 206 MSB				✓
2	<i>Patricia Hayes</i>	Michelle Hayes	313 S. ...	✓	3		
3	<i>[Signature]</i>	R. Stepp	1518 27th Ave			✓	
4	<i>[Signature]</i>	J. P. ...	11053 Fairview			✓	
5	<i>Jackie Olano</i>	Jackie Olano	613 Wainwright Rd				✓
6	<i>Shawn Perry</i>	Shawn Perry	A Co 5/4 FWA				✓
7	<i>[Signature]</i>	CARL JOHNSON	Acc 9/9 FWA				✓
8	<i>[Signature]</i>	Kenneth B. Edwards	PO Box 72091				✓
9	<i>Kristina Pomeroy</i>	Kristina Pomeroy	165 Greening Way				✓
10	<i>Johnny Adams</i>	Johnny Adams	240 Yale Way				✓
11	<i>William K. Simon</i>	William K. Simon	335 Cindy Dr				✓
12	<i>Rob Graves</i>	Rob Graves	320 Wedgewood Dr. #6			✓	
13	<i>John Hayes</i>	JOHN HAYES	320 Wedgewood Dr. #6			✓	
14	<i>Carol L. Johnson</i>	Carol L. Johnson	Carroll Johnson				
15	<i>Genevieve S. Gray</i>	Genevieve S. Gray	807 2nd	✓			
16	<i>MANUS MURPHY</i>	MANUS MURPHY	59 COLLEGE 210				✓
17	<i>Sonique Johnson</i>	SONIQUE JOHNSON	5256 N. ...	✓			
18	<i>Marta Jones</i>	MARTA JONES	Quarters - F. G. ...	✓			
	<i>Jacque Childs</i>	JACQUE CHILDS	1773 Kendall, No Pole				✓

PETITION

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

7

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	Brian Cotoligan	Brian Cotoligan	1300 Moore St Fairbanks AK 99701			✓	
2	Arletta Zito	Arletta Zito	4128 6th St #15 E. Wainwright AK 99702				✓
3	Doreen L. Thompson	Doreen L. Thompson	4427 1/2 Mayfield Ct #5 E. Wainwright AK 99703				✓
4	Rose Smullen	Rose Smullen	1204 DORTCHBY CT. N.P.				✓
5	Julie Mervyn	Julie Mervyn	4422-2 Mayfield Ct				✓
6	Scott Mervyn	SCOTT MERVYN	4422-2 Mayfield Ct				✓
7	Scott Diseth	SCOTT DISETH	147 FROB RAND CR				✓
8	Douglas Talton	DOUGLAS TALTON	3844 BRANCH AVE				✓
9	Christie Lowe	Christie Lowe	1715 Cluett Prady				✓
10	Angela Balliet	ANGELA BALLIET	1423 KENNICUT			✓	
11	Jerry A. Hodges	JERRY A. HODGES	11 EUREKA AVE D. FBK			✓	
12	Cynthia Wilder	CYNTHIA WILDER	1545 EIELSON ST #2 FBK	✓	4	✓	
13	Willard D. Horton	Willard D. Horton	500 KETIKHAN FBKS AK				✓
14	Joni Longstrech Thompson	Joni Longstrech Thompson	PB Box 55212 WFAIC				✓
15	Anthony M. Beck	Anthony M. Beck	305 Wedgewood Dr FBKS.				✓
16	Bernard A. Smith	BERNARD A. SMITH	447 Box 901147 FBKS AK 99775				✓
17	Tanya Kuhn	TANYA KUHN	Box 902217 FBK AK 99775				✓
18	Jhr. P. Roberts	Jhr. P. Roberts	30411 DORTCHBY CT 15-SE				✓

MAR 22 '99 09:59 GOLDLINE EXPRESS 301 412 2122

PETITION

(8)

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Larry Dickman</i>	LARRY DICKMAN	1100 KUYUKUK 99707				X
2	<i>John Dickman</i>	JOHN A. DICKMAN	Post Box 16087 Two Riv 99716	X			X
3	<i>Art Dickman</i>	Arthur R Dickman	22 1/2 m Le C. H. S R Two Riv	"			X
4	<i>Don Coumml</i>	DON COUMML	1011 Deere St FRK	X			
5	<i>Richard F. Koch</i>	RICHARD F. KOCH	PO Box 30 ESTERK	X	2		
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							

PETITION

9

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No.Units	Tenant	Other
1							
2							
3	Ben Wike	Ben Wike	320 BRANDT ST FBR AK	✓			
4	Jerry Hassel	Jerry Hassel	Bx 49, Estes, AK	✓			
5	Deanne Campbell	Deanne Campbell	1109 21 ST AVE, FBR KS	✓	1		
6	Kim Leonard	KIM Leonard	1644 Willow Fairbanks	✓			
7	David Eklund	DAVID EKLUK	5122E NORTH STEADY				✓
8	John P Rabb	John P Rabb	5128 B NORTH ST EAFB				✓
9	Evelyn Franich	EVELYN FRANICH	924 KELLUM				✓
10	Bill Franich	BILL FRANICH	" "				✓
11	Joe Franich	JOE FRANICH					✓
12	Joe Franich	JOE FRANICH	924 Kellum St				✓
13	Agnes Schlotfeldt	Agnes Schlotfeldt	924 KELLUM				✓
14	Tok Valenzon	TOK Valenzon	1910 TURNER ST				✓
15	Condiice RATH	Condiice RATH	PO Box 2516 Udena	1		1	
16	John Petrulla	John Petrulla	623 Wainwright Rd				✓
17	Suttu: stumpf	Suttu: stumpf	P.O. BOX 60801		✓		
18							

PETITION

10

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No.Units	Tenant	Other
1	<i>[Signature]</i>	TAMMI ISAACSON	245 J. Dartmouth Fhks.			✓	
2	<i>[Signature]</i>	SUK CHA CAMPBELL	1108 21st Ave FBS			✓	
3	<i>[Signature]</i>	Rowland W. Young	1243 23rd Ave FBS			✓	
4	<i>[Signature]</i>	Sue Turner	70 Turner Ct FBS				
5	<i>[Signature]</i>	LORENZE J. KELLY	PO BOX 55368 N.P	✓			
6	<i>[Signature]</i>	JAMES W. SCHNEF	P.O. BOX 7416 FBS	✓			
7	<i>[Signature]</i>	THOS. P. WELSBY	P.O. BL. 72157, Fhks. AK. 99707				
8	<i>[Signature]</i>	LAURA MCGAUGHEY	P.O. BOX 74047 FBS 99707				
9	<i>[Signature]</i>	JOYCE D. PARKS	P.O. BOX 72623 FBS 99707	✓			
10	<i>[Signature]</i>	LYNN LITTLE	1522 CUSHMAN ST. FBS	✓			
11	<i>[Signature]</i>	Louis M. Titice II	1522 CUSHMAN ST. FBS	✓			
12	<i>[Signature]</i>	VICTOR F. SALZBERG	638 CANOR RD N. FBS 99705		8		
13							
14							
15							
16							
17							
18							

PETITION

11

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Milton Behr</i>	Milton Behr	P.O. Box 1933 FBKS-99707				✓
2	<i>John Coats</i>	John Coats	2546 Tallkett WA Fairbairn AK 99709	✓	16		
3	<i>Daniel S Walker</i>	Daniel S Walker	1128 Hess Apt 18 Fairbanks AK 99709			✓	
4	<i>Pauline Kuehn</i>	Pauline Kuehn	1608 Kennedy ST. 99727				✓
5	<i>Barney Fawcett</i>	Barney Fawcett	Box 53 Ester, AK				✓
6	<i>Raymond Bessess</i>	RAYMOND BESSISS	Box 74715 Fairbanks AK				✓
7	<i>Walter Burnett</i>	Walter Burnett	1901 Cozzini	✓	140		
8	<i>James Masterson</i>	James Masterson	321 Island Dr. So. FAKS 99701			✓	
9	<i>Clay Ryan Davis</i>	CLAY RYAN DAVIS	Bx. 10412 FBKS AK.	✓	1		
10	<i>Channon D. Wilson</i>	Channon D. Wilson	Bx. 55534 No. Pole AK.			✓	
11	<i>Dorinda R. Hunt</i>	DORINDA R. HUNT	2223 30th St FBKS	✓	20		
12	<i>Genevieve Carley</i>	Genevieve CARLEY	Rt 66345 Fairbanks, AK 99726	✓	1		
13	<i>Philip J. Carboy</i>	Philip J. Carboy	Post Office Fairbanks 99705	✓	1		
14	<i>Mark Schuber</i>	MARK SCHUBER	3625 M. St. JT Fairbanks AK				✓
15	<i>Mark Schuber</i>	Mark Schuber	427 Stone Rd Fairbanks			✓	
16	<i>M. Ronald Sheets</i>	M. RONALD SHEETS	1028 EVERGREEN ST FBKS AK	✓	7		
17							
18							

PETITION

12

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>[Signature]</i>	Cathy S Boitz	PO Box 875241 Wasilla, AK 99717			X	
2	<i>[Signature]</i>	Marcus TAUVARES	1318 J3 Ave #4 FBKS, AK 99701			X	
3	<i>[Signature]</i>	Tiffany Slaughter	1217 Hammond Ave FBKS, AK 99701			X	
4	<i>[Signature]</i>	Erin Hill	815 McGrath rd. 2-J FBKS, AK 99712			X	
5	<i>[Signature]</i>	Norwalk Daniels	3040 Lewis Rd #174A-58			X	
6	<i>[Signature]</i>	Diane M Hebert	PO Box 10188 FBKS AK 99710			X	
7	<i>[Signature]</i>	Noma R Johnson	PO Box 74395 FBKS, AK 99707			X	
8	<i>[Signature]</i>	SHAUNON BUTLER	PO Box 83601 FBKS, AK 99708			X	
9	<i>[Signature]</i>	Aaron Malzahn	P.O. Box 70063 FBKS, AK 99707			X	
10	<i>[Signature]</i>	Susan Rieckmann	1200 W. Diamond #1442 Anch, AK 99515			X	
11	<i>[Signature]</i>	Bob Ramer	PO Box 103 Kaslof, AK 99610			X	
12	<i>[Signature]</i>	James Houston	330 Wedge wood dr			X	
13	<i>[Signature]</i>	Cynthia Norris	P.O. Box 58953 FBKS, 99711				X
14	<i>[Signature]</i>	Cathy L Clements	P.O. Box 2074 FBKS 99701	X	2		
15	<i>[Signature]</i>	Dessa Bucher	PO Box 853 Slone, AK	X	2		
16	<i>[Signature]</i>	Kim Brady	1313 23rd Ave			X	
17	<i>[Signature]</i>	Susan Prehike	97855 Curtisli Sitka AK 99701	X	1		
18	<i>[Signature]</i>	Rileen McClayton	1514 Pell. Dr E. Fairbanks AK 99701				X

PETITION

13

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Rebecca B. McAulay</i>	Rebecca B. McAulay	905 Joyce Dr Flks ⁹⁹⁷⁰¹			X	
2	<i>Art Saaroods</i>	ART SAAROODS	P.O. BOX 1970 J AK ⁹⁹⁷³⁷			X	
3	<i>Michael G. Ridley</i>	MICHAEL G. RIDLEY	GEN. DELIVERY 99725 ^{ESTER AK.}			X	
4	<i>Sue G. Yi</i>	Sue G. Yi	1004 July Cr. J. Flks AK				X
5	<i>John A. Wilson</i>	John A. Wilson	4820 Palo Verde Ave Flks ⁹⁹⁷¹¹				X
6	<i>Charles Warden</i>	Charles Warden	Box 2275 Flks ⁹⁹⁷⁰⁵			X	
7	<i>Mee Jung TAVAKS</i>	Mee Jung TAVAKS	1318 23AVE # 99707				X
8	<i>Dave Brenner</i>	Dave Brenner	1038 Pasque St. 99712			X	
9	<i>Sonya Paschal</i>	Sonya Paschal	4427 Marfield Ct. #1	X	2		
10	<i>Melissa Applebee</i>	Melissa Applebee	1816 Bridgewater 99709			X	
11	<i>Lola Easterling</i>	LOLA EASTERLING	5 KATHRYN				X
12	<i>Candy Dyer</i>	Candy Dyer	1326 20th Ave	X	4		
13	<i>Rod V. Wakefield</i>	Rod V. Wakefield	560 Hilltop Ave Flks				X
14	<i>Charles H. Wallace</i>	Charles H. Wallace	4057 Mallard Way Flks	X	3		
15	<i>Jeffrey J. Milner</i>	JEFFREY J. MILNER	PSC 5 BOX 85 EAK				X
16	<i>Brenda D. Santora</i>	BRENDAD SANTORA	P.O. Box 8358.3 Flks AK				X
17	<i>Sohna R. Rynette</i>	Sohna Rynette	218 Woodland #22				X
18	<i>Pearl Johnson</i>	Pearl Johnson	18 15 Kathryn St.			V	

PETITION

14

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No.Units	Tenant	Other
1	<i>Darlene A Means</i>	Darlene Means	1232 20th Apt #4			X	
2	<i>Robert King</i>	Robert King	1003 Coastal				owner
3	<i>John Johnson</i>	JOHNSON	1508 HASELTON BL				OWNER
4	<i>Sody Rimmer</i>	Sody Rimmer	11023 LAURENCE			X	
5	<i>Betty R Johnson</i>	Betty R Johnson	1508 Haselton Rd				owner
6	<i>David E. Pennington</i>	David E. Pennington	POB. 425 Healy			X	
7	<i>Teresa Pennington</i>	Teresa L Pennington	PO 425 Healy			X	
8	<i>Gary W. McQueen</i>	Gary W. McQueen	207 Steelhead Rd.	X			
9	<i>Melvin T. Apassingole</i>	Melvin T. Apassingole	P.O. Box 91 Gambell, AK.				X
10	<i>Clement Ungott</i>	Clement Ungott	P.O. Box 75 Gambell, AK				✓
11	<i>Jan Spang</i>	Jan Spang	Box 3914 Palmer, AK				✓
12	<i>Gary M Spang</i>	GARY M SPANG	" " "				✓
13	<i>Darcy J. Goad</i>	Darcy J. Goad	PO Box 71504 Fiske, AK			✓	
14	<i>Hedra A Stillman</i>	Hedra A Stillman	830 Highgate Way Fiske, AK				owner
15	<i>Todd A. Ingstad</i>	Todd A. Ingstad	524 Craig St. Fiske			✓	
16	<i>Marvid Sluka</i>	MARVID SLUKA	3450 Airport Way Fiske	X			
17	<i>Jan A. Shies</i>	JAN A. SHIES	4750 Ivona Ave Fiske			X	
18	<i>Rodney L. Hakerl</i>	RODNEY L. HAKERL	615 DUTCH ST Fiske			X	

PETITION

15

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Marvin J Lund</i>	MARVIN L LUND	3431 KALTAG DR ^{NORTH POLE}				HOME OWNER
2	<i>Carolyn J Lund</i>	Carolyn J Lund	3431 Kaltag Dr.				HOME OWNER
3	<i>Darryl Ashcar</i>	DARRYL ASHCAR	352 <i>(2255 1/2)</i>			✓	
4	<i>A. Harry Wigley</i>	A. Harry Wigley	P.O. Box 71043, Folsom, CA 95707				Home Owner
5	<i>David Magar</i>	DAVID MAGAR	P.O. Box 75251 Folsom, CA 95707			✓	
6	<i>Roger L Moore</i>	Roger L. Moore	288 <i>9922</i> Gamboling Rd #26 Folsom	✓	72		
7	<i>Don Beaumont</i>	DON BEAUMONT	643 <i>9922</i> Hazard St Folsom 95701	✓	1		Home Owner
8	<i>James P Sullivan</i>	JAMES P SULLIVAN	125 INH 1003 AK 99701	✓	1		Home Owner
9	<i>Charles A. Creamer</i>	CHARLES A. CREAMER	339 CHURCH ST			✓	
10	<i>James J Thomas</i>	JAMES J THOMAS	1739 CROSSON ST				HOME OWNER
11	<i>Jay W Sadler</i>	JAY W SADLER	390 HAMILTON		NONE		HOME OWNER
12	<i>Don Elbert</i>	DON ELBERT	1544 SCENIC LP	✓	4		
13	<i>Juliet M Shier</i>	JULIET M SHIER	475 <i>9922</i> ...		12		Manager ✓
14	<i>Peter M Shier</i>	PETER M SHIER	475 <i>9922</i> ... #4		12		Manager
15	<i>Eugene E Reed</i>	EUGENE E. REED	66W. DGL ESTER	✓	2		
16	S. CLAY CAMPBELL	S. CLAY CAMPBELL	1481 BLACKBERRY	✓	1		
17	<i>Janet A. Thompson</i>	JANET A. THOMPSON	457 Wellhouse Rd.				Home Owner
18	<i>Mark Blong</i>	Mark Blong	1625 PARKS Hwy			✓	

PETITION

16

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No.Units	Tenant	Other
1	<i>Irene K. Hotaling</i>	IRENE K. HOTALING	990 Deere St Folsom			X	
2	<i>Barbara Kerber</i>	BARBARA KERBER	404 BETTEY				X
3	<i>Karl H. Jones</i>	KARL JONES	1500 Fools Gold Rd				X
4	<i>Ralph Aiken</i>	Ralph Aiken	218 Bently			X	
5	<i>Bob Walsh</i>	BOB WALSH	P.O. Box 70044			X	
6	<i>Wooden Hill</i>	Wooden Hill	455 20th St NE 518			X	
7	<i>Rick Mensik</i>	Rick Mensik	462 Carlton	X	2	X	
8	<i>Harold A Johnson</i>	Harold A Johnson	P.O. Box ^{Fairbairn AK.} 10440				X
9	<i>Nelson B. Miles</i>	Nelson B. Miles	P.O. Box 75006 ^{Folsom AK 99707}	X	1	X	
10	<i>Cindy Armstrong</i>	Cindy Armstrong	4379 Bishop Cir				X
11	<i>Joleen K. Cooper</i>	Joleen Cooper	615 Ginko Rd			X	
12	<i>Dennis v. Smith</i>	Dennis v. Smith	440 Old Rich #217			X	
13	<i>Garry Lee Hahn</i>	Garry Lee Hahn	1910 Turner			X	
14	<i>Wanda Lee Davis</i>	Wanda Lee Davis	1910 Turner			X	
15	<i>Rosalind C. Perez</i>	Rosalind C. Perez	1141 Copper St ^{99709 Fols}			X	
16	<i>Daniel Day</i>	DANIEL DAY	440 Old Richardson Hwy.			X	
17	<i>Edward W. Rorch</i>	Edward W Rorch	440 Old Richardson Hwy			X	
18	<i>Jeanette Hopson</i>	Jeanette Hopson	440 Old Richardson Hwy			X	

PETITION

17

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No.Units	Tenant	Other
1	Mike Ricci	Michael Ricci	1732 Tamarack				✓
2	Stacey Eggers	Stacey Eggers	120 Charles St			✓	
3	Beverley J. Million	BEVERLEY J. MILLION	2765 Jordan Rd.	✓	4		
4	Virginia M. Neal	Virginia Neal	227 Woodridge Dr.			✓	
5	Rose Marie Smith	ROSE MARIE SMITH	3371 STOREY, OR	✓			
6	Barbara Moore	Barbara Moore	23 B Eureka	✓	2	✓	
7	Jeffrey J. Ball	Jeffrey J. Ball	356 Driveway			✓	
8	Marina G. Ball	MARINA G. BALL	356 DRIVEWAY, AK			✓	
9	Heleen Lugbill	Heleen Lugbill	97 Timberland Dr	✓	2		
10	Marie A. Bablinska	MARIE A. BABLINSKA	P.O. BOX 74043			✓	
11	Dennis P. Gall	DENNIS P. GALL	2509 LISA ANN DR N. H. AK				✓
12	Parnellia O'Neill	PARNELLIA O'NEILL	231 CRAIG AVE.	✓	1	✓	✓
13	Jonda K. Brown	JONDA K. BROWN	2843 Bd Rd North Pole	✓			
14							
15							
16							
17							
18							

PETITION

18

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Doyle Gabriel</i>	Doyle Gabriel	1904 pager	✓	5		
2	<i>Chitz Gabriel</i>	Anita C Gabriel	2058 Dunhill Ave #3			✓	
3	<i>Debra Sinclair</i>	DEBRA SINCLAIR	1048 28th #2			✓	
4	<i>Carl W Ralt</i>	CARL W RALT	1270 Ritymond ave.				✓
5	<i>Curtis Chamberlain</i>	Curtis Chamberlain	850 mc greeh Rd				✓
6	<i>Ruth V Long</i>	RUTH V LONG	P.O. Box 1 ESTER				✓
7	<i>Kathleen Selwiler</i>	KATHLEEN SELWILER	P.O. Box 81147			✓	
8	<i>Jeffrey A. Campbell</i>	JEFFREY A. CAMPBELL	508 Monroe St. Foks AK				
9	<i>Thomas Nelson</i>	Thomas Nelson	P.O. Box 70648 ⁹⁹⁷⁰⁷ Foks	✓	15		✓
10	<i>Juanita Helms</i>	JUANITA HELMS	1524 STACIA St.	✓	7		
11							
12							
13							
14							
15							
16							
17							
18							

PETITION

19

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No.Units	Tenant	Other
1	<i>Don Ward</i>	Don Ward	P.O. 10674 - 99710	✓			
2	<i>Dianne Tompkins</i>	Dianne Tompkins	PO 70614 707			✓	
3	<i>Sharon Mensik</i>	Sharon Mensik	462 Carlton Dr. 99701	✓	1		
4	<i>Zoe Parrish</i>	Zoe Parrish	1117 26th Ave. 99701		4	✓	
5	<i>George K. Shriver</i>	GEORGE-K-SHRIVER	913-OCFANER RD 99701				✓
6	<i>Vanessa Navarro</i>	Vanessa Navarro	518 "A" St 99701			✓	
7	<i>Meredith A. Coats</i>	Meredith A. Coats	2546 Talkeetna 99709	✓	20		
8	<i>Myrna Sheets</i>	MYRNA SHEETS	1028 E. 4th St	✓	7		
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							

PETITION

20

We, the undersigned, are supporters of SB155/HB222, as introduced. These bills revise the Landlord Tenant Act to make the laws apply more equally between landlords and tenants.

#	Signature	Print Name	Address	Landlord	No. Units	Tenant	Other
1	<i>Lathema Fleshman</i>	LATHEMA FLESHMAN	440 Old Rich Hwy	X	62		
2	<i>Virgil A Hardin</i>	VIRGIL A HARDIN	440 OLD RICH HWY		62	✓	
3	<i>Ed Kincheloe</i>	Ed Kincheloe	440 OLD RICH HWY			X	
4	<i>John S. Vostilla</i>	John S. Vostilla	440 Old Rich. Hwy.			X	
5	<i>Wm M Stewart</i>	WM M STEWART	1777 CROSSON ST	✓	450		
6	<i>Bart Wigger</i>	Bart Wigger	440 old Rich			X	
7	<i>Helen Powell</i>	HELEN POWELL	1913 JACK ST	X		X	
8	<i>Mary Heine</i>	MARY HEINE	579 MOUNTAIN LANE			X	
9	<i>Duane S. Peterson</i>	DUANE S. PETERSON	2515 1/2 COLLETTA				X
10	<i>William T. Ellis</i>	WILLIAM T. ELLIS	440 OLD RICH HWY	X		X	
11							
12							
13							
14							
15							
16							
17							
18							

H B

2 3 6

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 236

Revision Date: _____ Dept. Affected: All Agencies
 Title: "An Act relating to newspapers of
general circulation." BRU: _____
 Component: _____
 Sponsor: House Labor and Commerce Committee
 Requestor: House Labor and Commerce Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Lynda Giguere, Committee Aide Phone: 465-6827
 Division: House Labor and Commerce Committee Date: 465-6827
 Approved by Commissioner: Rep. Bill Hudson, Chairman Date: 3-29-93
 Agency: House Labor and Commerce Committee

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

<u>Paper</u>	<u>Circulation</u>
Alaska Journal of Commerce	3,200
Aleutian Eagle	3,800
All Alaska Weekly	4,000
Anchorage Daily News	79,938
The Aniak Paper	250
Arctic Sounder	1,900
Arctic Star	7,000
Barrow Sun	1,000 +
Borough Post	1,000 +
Bristol Bay News	3,000
Bristol Bay Times	3,000
Capital City Weekly	16,000
Chilkat Valley News	1,100
Chugiak-Eagle River Star	4,250
Copper River Country Journal	1,500
Cordova Times	1,750
Daily Sitka Sentinel	2,905
The Delta Paper	1,300
Eagles Call	2,500
Fairbanks News-Miner	19,700
Frontiersman	6,600
Homer News	4,000
Island News	1,600
Juneau Empire	8,000
Ketchikan Daily News	4,700
Kodiak Daily Mirror	3,800
Mukluk News	700
Nome Nuggett	3,200
North Pole Independent	3,000
The Northern Light	5,000
Peninsula Clarion	5,000
Petersburg Pilot	1,800
Seward Phoenix Log	2,000
Skagway News	750
Sourdough Sentinel	7,500
Tundra Drums	6,300
Valdez Pioneer	4,200
Valdez Vanguard	1,800
Valley Sun	10,000
Village Voice	4,300
Wrangell Sentinel	1,500

APPENDIX 3

ADVERTISING COSTS BY VENDOR

Newspaper	FY 1989 Costs
All Alaska Weekly	\$ 5,175
Anchorage Daily News	277,490
Anchorage Times	110,687
Advocate	653
Air Alaska	1,004
Alaska Journal of Commerce	10,419
Aleutian Advocate	686
Aleutian Eagle	18,552
Alaska Fisherman	4,346
Arctic Sounder	5,199
Barrow Sun	10,632
Bristol Bay News	8,766
Bristol Bay Times	9,992
Borough Post	4,878
Capital City Weekly	3,437
Chilkat Valley News	3,371
Chugiak-Eagle River Star	4,703
Copper Valley View	5,052
Cordova Times	5,839
Sitka Sentinel	17,117
Delta Paper	4,981
Fairbanks Daily News-Miner	193,363
Frontiersman	20,523
Homer News	12,567
Island News	5,081
Journal of Commerce	6,254
Juneau Empire	205,122
Ketchikan Daily News	54,999
Kodiak Daily Mirror	14,558
Kodiak Fisherman	319
Alaska Rural Newspapers*	1,955
Mukluk News	3,005
Nome Nugget	21,966

APPENDIX 3

NPP Publishing [Ⓞ]	1,480
Pacific Rim Publishing*	3,383
Peninsula Clarion	29,172
Petersburg Pilot	9,027
Ptarmigan Ptimes	700
Senior Voice	1,523
Skagway News	535
Seward Phoenix Log	7,190
Tundra Drums	25,586
Tundra Times	38,267
Valley Sun	4,564
Valdez Vanguard	8,344
Wrangell Sentinel	6,910
Alaska Subtotal	<u>1,199,909</u>
New York Times	1,563
Portland Daily Journal	15,272
Portland Observer	405
Portland Oregonian	2,004
Seattle Times	18,560
Wall Street Journal	4,123
Washington Post	1,532
Non-Alaska Subtotal	43,457
TOTAL	<u>\$ 1,243,366</u>

Source: AKSAS

* Air Alaska, Alaska Journal of Commerce, and others.

Barrow Sun, Borough Post, Aleutian Eagle, etc.

Ⓞ Cordova Times and Valdez Vanguard.

Note: Appendices 2 and 3 totals are not equal, apparently due to AKSAS entry errors or the inclusion in Appendix 3 data of subscription costs.



HOMER NEWS

3482 Landings Street

Homer, Alaska 99603-7999

(907) 235-7767

March 29, 1993

Rep. Bill Hudson, Chairman
LABOR & COMMERCE COMMITTEE
Alaska House of Representatives
Stat Capitol
Juneau, AK 99801
Re: House Bill #236

Dear Rep. Hudson:

Your committee is scheduled to address House Bill 236 on March 30.

While the Homer News has no general objection to the legislation, we feel it is important to clarify the use of the terminology "subscriber".

In defining a newspaper of general circulation, House Bill #236 describes the standard as a certain number of "bona fide subscribers." That's in (15)F as proposed in Section 1.

In Alaska, unlike Outside, many newspapers' circulations consist largely of over-the-counter sales to readers, whereas a "subscriber" is generally understood to have prepaid for three months, six months, etc., and has delivery to home or business, or by mail.

In the case of the Homer News, a large part of its circulation is over-the-counter sales at stores or through boxes.

The Homer News' circulation can be substantiated. Not only do we have a second-class mailing permit, but we also are audited by the Audit Bureau of Circulations, which is generally regarded as the standard for audited circulation among newspapers in the United States. The Homer News' circulation is as certain and verifiable as all the major dailies.

Therefore, we request that the term "subscriber" be amended to "reader" or something that does not nullify over-the-counter or box sales as paid circulation.

Thank you for your time and consideration.

Sincerely,

Karen Higley
Vice President/Treasurer

HOUSE LABOR AND COMMERCE COMMITTEE

ALASKA STATE LEGISLATURE

STATE CAPITOL, JUNEAU, AK 99801-1182
(907) 465-4954



SPONSOR STATEMENT HOUSE BILL 236

Alaska is one of the few (perhaps only) states where publication of legal notices occurs in metropolitan daily newspapers (e.g., The Juneau Empire, The Anchorage Daily News, The Fairbanks Daily News-Miner, and The Nome Nugget). In most other jurisdictions, required legal notices are published in daily or weekly newspapers catering in part to legal, banking and real estate professionals that provide the most efficient dissemination of notice at a cost of publication substantially less than that charged by larger circulation metro dailies. In these other jurisdictions, state statutes typically define with specificity the requirements and qualifications for newspapers suitable for public notice. Such statutory qualifications address editorial content, publication schedule, minimum paid circulation and other criteria to ensure that the widest potential audience with interest in public notices may be reached at the most competitive cost.

Currently no such statutory specificity exists in Alaska. Where requirements for publication are stated by law, it is only with the general language of "publication in a newspaper of general circulation." Therefore, definition of "of general circulation" is subject to interpretation by reference to case law precedent and statutory authority in Alaska and other jurisdictions.

In the case of certain types of legal notices, in particular default notices pursuant to real estate foreclosures, this situation has prompted interested Alaskan parties (banks, title companies and attorneys) who are ultra cautious by nature to use only metro dailies for legal notices where qualification of the publishing venue would seem to be unassailable in the event of litigation. In addition, until recently a targeted legal publication alternative has not existed in Alaska unlike most other jurisdictions. The result has been to create de facto monopoly publishing entities in each of Alaska's four judicial districts.

HB 236 would provide the specificity that is currently lacking for qualifying newspapers of general circulation. In so doing, it would establish a needed level of comfort for banks, title companies, and attorneys to consider alternatives to the publishing status quo.

At current advertising rates, the cost savings would be substantial. For example, in the Third Judicial District, the Anchorage Daily News charges almost triple the cost of legal advertising compared to the Alaska Journal of Commerce. Presumably, similar cost savings would be

available for public sector legal notice advertising as well which would benefit the state's executive branch as well as municipalities.

It is important to note that HB 236 in no way changes the status of existing metro dailies which would continue to qualify as papers of general circulation. It would merely provide statutory certainty that other papers It would merely provide statutory certainty that other papers (e.g., The Alaska Journal of Commerce, The Eagle River Star, The Frontiersman) also qualify thereby allowing the legal advertiser additional flexibility. also qualify thereby allowing the legal advertiser additional flexibility to choose the paper best suited for the purpose at the most competitive cost.

Other than the potential public sector cost savings noted above, HB 236 has no fiscal impact.

Lynda

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 236

Revision Date: _____
Title: "An Act relating to newspapers of
general circulation."

Dept. Affected: All Agencies
BRU: _____
Component: _____

Sponsor: House Labor and Commerce Committee
Requestor: House Labor and Commerce Committee

COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Lynda Giguere, Committee Aide
Division: House Labor and Commerce Committee
Approved by Commissioner: Rep. Bill Hudson, Chairman
Agency: House Labor and Commerce Committee

Phone: 465-6827
Date: 465-6827
Date: 3-29-93

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 236

Revision Date: _____ Dept. Affected: All Agencies
 Title: "An Act relating to newspapers of
general circulation." BRU: _____
 Component: _____
 Sponsor: House Labor and Commerce Committee
 Requestor: House Labor and Commerce Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Lynda Giguere, Committee Aide Phone: 465-6827
 Division: House Labor and Commerce Committee Date: 465-6827
 Approved by Commissioner: Rep. Bill Hudson, Chairman Date: 3-29-93
 Agency: House Labor and Commerce Committee

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 236

Revision Date: March 30, 1993
Title: "An Act relating to newspapers of general circulation."
Sponsor: House Labor and Commerce
Requestor: House Labor and Commerce

Department Affected: Department of Law
BRU: Legal Services
Component: Operations
COMPONENT SERIAL NO. 0093

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	****	****	****	****	****	****

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	****	****	****	****	****	****

FULL-TIME	****	****	****	****	****	****
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)
Please see the attached analysis.

Prepared by: Richard I. Peques, Director
Division: Administrative Services Division
Approved by Commissioner: Charles E. Cole, Attorney General
Agency: Department of Law

Phone: 465-3672
Date: March 30, 1993
Date: March 30, 1993

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 236

This bill adds a new paragraph to AS 01.10.060 to provide a statutory definition of the term "newspaper of general circulation." The definition proposed by the bill would mean a publication that is published in newspaper format and that contains, in at least 25 percent of each issue, editorial comments and news content that is of general interest in a relevant area. The bill also provides that a newspaper of general circulation has more than an insignificant circulation throughout the relevant area and, for at least two years, has been distributed for at least once a week and for at least 50 weeks a year within the relevant area.

Under the bill, a relevant area means the judicial district, municipality, or other geographical area specified in or otherwise used in the governing statute or regulation to determine where the publication advertising, or other activity is to be accomplished by using a newspaper of general circulation. The term newspaper of general circulation, heretofore undefined by statute, currently appears in about 80 statutes.

The bill also provides that a newspaper of general circulation holds a second class mailing certificate, is not published primarily to distribute advertising, is not intended primarily for a particular profession or occupational group, and has a total paid circulation of at least 2,500 bona fide subscribers.

Although taken together these provisions may not have an immediate fiscal impact for the Department of Law, it appears likely that additional costs to the state could occur in two ways. First, several important local newspapers where required state legal notices are now published do not meet the bill's definition of a newspaper of general circulation. This is because they lack the minimum number of required subscribers in the relevant area of publication, or because they are published on a less than weekly basis, or both. These include local newspapers in Barrow, Cordova, Nome, Kotzebue, Petersburg, Skagway, and Wrangell, as well as at least one statewide publication, the Senior Voice. Faced with these limitations, agencies would have to publish required notices in larger publications in at least one of the state's major population centers in order to insure publication in a newspaper of general circulation. Agencies would, however, have the option of also publishing additional notices in a local non-qualified newspaper. In instances where the state activity is wholly local, such as public meeting notices to present local highway improvement plans or notices of local area fishing openings and closings, agencies would have to bear the added expense of publishing in non-qualified newspapers if they elect to do so, in addition to the cost of publishing the notices in a qualified newspaper.

Second, publications that currently publish state notices, and that would be disqualified from doing so in the future by the bill, can be expected to challenge the disqualifying effects of the bill if it becomes law. At this time we cannot predict the extent and the scope of such challenges and, for this reason, we have not shown any fiscal note costs, although we believe there will be some.

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 19, 1993

FURTHER REFERRALS:

Date of Committee Action: 3/30/93

The LABOR AND COMMERCE Committee considered:

HB 236

HOUSE BILL NO. 236

NEWSPAPER OF GENERAL CIRCULATION DEFINED

"An Act relating to newspapers of general circulation."

RECOMMENDATIONS:

be replaced with CS for HB 236

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note ALL AGENCIES

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Doc Sutton</i>	X				
<i>[Signature]</i>	X				
<i>[Signature]</i>	X				
<i>[Signature]</i>	X				
<i>[Signature]</i>	X				

Bill Hudson
CHAIRMAN'S SIGNATURE

<u>Paper</u>	<u>Circulation</u>
Alaska Journal of Commerce	3,200
Aieutian Eagle	3,800
All Alaska Weekly	4,000
Anchorage Daily News	79,938
The Aniak Paper	250
Arctic Sounder	1,900
Arctic Star	7,000
Barrow Sun	1,000 +
Borough Post	1,000 +
Bristol Bay News	3,000
Bristol Bay Times	3,000
Capital City Weekly	16,000
Chilkat Valley News	1,100
Chugiak-Eagle River Star	4,250
Copper River Country Journal	1,500
Cordova Times	1,750
Daily Sitka Sentinel	2,905
The Delta Paper	1,300
Eagles Call	2,500
Fairbanks News-Miner	19,700
Frontiersman	6,600
Homer News	4,000
Island News	1,600
Juneau Empire	8,000
Ketchikan Daily News	4,700
Kodiak Daily Mirror	3,800
Mukluk News	700
Nome Nuggett	3,200
North Pole Independent	3,000
The Northern Light	5,000
Peninsula Clarion	5,000
Petersburg Pilot	1,800
Seward Phoenix Log	2,000
Skagway News	750
Sourdough Sentinel	7,500
Tundra Drums	6,300
Valdez Pioneer	4,200
Valdez Vanguard	1,800
Valley Sun	10,000
Village Voice	4,300
Wrangell Sentinel	1,500

APPENDIX 3

NPF Publishing [Ⓞ]	1,480
Pacific Film Publishing*	3,383
Peninsula Clarion	29,172
Petersburg Pilot	9,027
Ptarmigan Ptimes	700
Senior Voice	1,523
Skagway News	535
Seward Phoenix Lcg	7,130
Tundra Drums	25,586
Tundra Times	38,267
Valley Sun	4,584
Valdez Vanguard	8,344
Wrangell Sentinel	6,910
Alaska Subtotal	<u>1,199,809</u>
New York Times	1,563
Portland Daily Journal	15,272
Portland Observer	405
Portland Oregonian	2,004
Seattle Times	18,560
Wall Street Journal	4,123
Washington Post	1,532
Non-Alaska Subtotal	<u>49,457</u>
TOTAL	<u>\$ 1,249,266</u>

Source: AKSAS

* Air Alaska, Alaska Journal of Commerce, and others.

Barrow Sun, Borough Post, Aleutian Eagle, etc.

Ⓞ Cordova Times and Valdez Vanguard.

Note: Appendices 2 and 3 totals are not equal, apparently due to AKSAS entry errors or the inclusion in Appendix 3 data of subscription costs.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

<u>Paper</u>	<u>Circulation</u>
Alaska Journal of Commerce	3,200
Aleutian Eagle	3,800
All Alaska Weekly	4,000
Anchorage Daily News	79,938
The Aniak Paper	250
Arctic Sounder	1,900
Arctic Star	7,000
Barrow Sun	1,000 +
Borough Post	1,000 +
Bristol Bay News	3,000
Bristol Bay Times	3,000
Capital City Weekly	16,000
Chilkat Valley News	1,100
Chugiak-Eagle River Star	4,250
Copper River Country Journal	1,500
Cordova Times	1,750
Daily Sitka Sentinel	2,905
The Delta Paper	1,300
Eagles Call	2,500
Fairbanks News-Miner	19,700
Frontiersman	6,600
Homer News	4,000
Island News	1,600
Juneau Empire	8,000
Ketchikan Daily News	4,700
Kodiak Daily Mirror	3,800
Mukluk News	700
Nome Nuggett	3,200
North Pole Independent	3,000
The Northern Light	5,000
Peninsula Clarion	5,000
Petersburg Pilot	1,800
Seward Phoenix Log	2,000
Skagway News	750
Sourdough Sentinel	7,500
Tundra Drums	6,300
Valdez Pioneer	4,200
Valdez Vanguard	1,800
Valley Sun	10,000
Village Voice	4,300
Wrangell Sentinel	1,500

APPENDIX 3

ADVERTISING COSTS BY VENDOR

Newspaper	FY 1989 Costs
All Alaska Weekly	\$ 5,175
Anchorage Daily News	277,490
Anchorage Times	110,687
Advocate	653
Air Alaska	1,004
Alaska Journal of Commerce	10,419
Aleutian Advocate	666
Aleutian Eagle	16,552
Alaska Fisherman	4,346
Arctic Sounder	5,199
Barrow Sun	10,632
Bristol Bay News	6,766
Bristol Bay Times	9,992
Borough Post	4,678
Capital City Weekly	3,437
Chilkat Valley News	3,371
Chugiak-Eagle River Star	4,703
Copper Valley View	5,052
Cordova Times	5,839
Sitka Sentinel	17,117
Delta Paper	4,981
Fairbanks Daily News-Miner	193,363
Frontiersman	20,523
Homer News	12,567
Island News	5,081
Journal of Commerce	6,254
Juneau Empire	205,122
Ketchikan Daily News	54,999
Kodiak Daily Mirror	14,556
Kodiak Fisherman	319
Alaska Rural Newspapers*	1,955
Mukluk News	3,005
Nome Nugget	21,966

APPENDIX 3

NPP Publishing [Ⓞ]	1,480
Pacific Rim Publishing*	3,383
Peninsula Clarion	29,172
Petersburg Pilot	9,027
Ptarmigan Ptimes	700
Senior Voice	1,523
Skagway News	536
Seward Phoenix Log	7,190
Tundra Drums	25,586
Tundra Times	38,267
Valley Sun	4,584
Valdez Vanguard	8,344
Wrangell Sentinel	6,910
Alaska Subtotal	<u>1,199,909</u>
New York Times	1,563
Portland Daily Journal	15,272
Portland Observer	405
Portland Oregonian	2,004
Seattle Times	18,560
Wall Street Journal	4,123
Washington Post	1,532
Non-Alaska Subtotal	43,457
TOTAL	<u>\$ 1,243,366</u>

Source: AKSAS

* Air Alaska, Alaska Journal of Commerce, and others.

Barrow Sun, Borough Post, Aleutian Eagle, etc.

Ⓞ Cordova Times and Valdez Vanguard.

Note: Appendices 2 and 3 totals are not equal, apparently due to AKSAS entry errors or the inclusion in Appendix 3 data of subscription costs.

H B

2 3 7

File 1



Alaska State Legislature

REPRESENTATIVE BILL HUDSON

State Capitol
Juneau, Alaska
99801-082
(907) 465-3744

COMMITTEES
CHAIR
Labor & Commerce
VICE CHAIR
Resources
MEMBER
Transportation
Regulation Review
Economic Development
Task Force

SPONSOR STATEMENT HOUSE BILL 237 MARINE PILOT TARIFFS

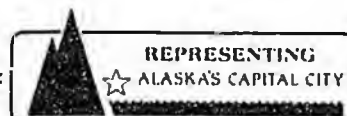
HB 237 was introduced to fine tune Alaska's Marine Pilot Act of 1991, and to provide a mechanism to determine pilotage tariffs, now left to the several pilot organizations by statutory provision, and scheduled to be repealed on June 30, 1994.

While the 1991 Act improved marine pilotage in Alaska, its implementation has revealed that many problems still need to be addressed, specifically with regard to the powers of the Board of Marine Pilots and tariff setting. HB 237 seeks to remedy these problems by:

- 1) better defining the powers of the Board of Marine Pilots to make it more effective; and
- 2) charging the APUC with the authority to set tariffs.

Under current law, the Board of Marine Pilots is charged with establishing standards in setting tariffs. However, the Board is neither staffed nor equipped to handle this responsibility. HB 237 provides for the APUC by regulation to set fixed tariffs. By doing so, industry will have a longer view of the tariff situation, tariffs will be uniform where they are now often dissimilar between pilot organizations, and the Board will be free to deal with the task of assuring competent pilotage of Alaska's waters.

Similarly, limiting the number of pilots per region recognizes that pilotage is a natural monopoly, controlled by the state, in the interest of public safety and the smooth and efficient flow of commerce. Spreading a limited amount of trade over an excessive number of pilots could dilute a pilot's knowledge of Alaska's waterways. I do not believe this to be in the state's or public's best interest. Recentcy in pilotage is crucial. HB 237 charges the Board of Marine Pilots with the task of establishing, by regulation, the minimum and maximum number of pilots to be licensed in a region based on the number needed to assure a necessary cadre of professional pilots, the safety of human life and property, and the protection of the marine environment of the state. Limiting licenses is a common



practice among maritime states, and Alaska heretofore has been unique in its approach.

HB 237 also sets out specific criteria for the Board to use in determining the licensing pilots in more than one pilotage region at a time. Current law is vague in this regard and this vagueness has tended to make the Board ineffecti ve and inefficient.

I recognize that groups of professionals such as these highly skilled, knowledgeable persons may wish to associate for insurance, shared benefits, or other commonality. This bill seeks not to limit pilots to organize as they see fit. What we as legislators need to assure is that pilots remain professionally apart from the shipping companies that employ them. Setting a fixed, uniform tariff and some ground rules on dispatch, coupled with limiting licenses will, as I said, give shipping companies assurance of costs and access to licensed professionals without limiting their right to choose those they wish to employ.

HB 237 will make the movement of shipping in Alaska waters safer.

From gss!dch!lal Tue Apr 6 14:10:12 1993
To gss!lanc!djh
Subject: info for Joe Kyle
Cc: gss!seal!gva, gss!seal!jab, gss!seal!smj
X-Mailer: SCO Portfolio 2.0
Date: Tue, 6 Apr 1993 12:42:03 -0900 (HDT)

TO: JOE KYLE

Dan,

Following information regarding GORNO ALTAYSK off Unisea dock.

The story behind this per Lynda:

Nissui of course, keeps close track of which vessels can go in and out of Unisea dock. They are well aware of draft restrictions into the dock so they plan accordingly. Back in January shortly after Masuhara (of Nissui) arrived, he visited the pilots (AMP) with Lynda. They stated (she thinks it was Tom) that they could do a vessel with a 7.00 meter draft.

Prior to going into or coming out of Unisea the agent always calls the pilot to arrange and the draft is then given. On Feb 4, Lynda called AMP and they refused saying they would not do over 22' (6.7 M). (Masuhara threw a fit). She then called WAPA. After making calculations, they decided it was indeed workable. The weather was also very favourable and it was daylight. The ship came out without a hitch.

Last year on Feb 16th, AMP took the ship out with a 7.28 meter draft (see pilot ticket signed by Dave Grobschmidt)
(they also took it in on Feb 6th with a 7.00 meter draft)

As far as night time. There are dozens of times AMP took vessels out at night. Day or night was ONLY a consideration if the vessel had no schedule and it made no difference. If we wanted night and the winds were calm and from the right direction, night it was.

When we were denied the night departure from Unisea a while back we were shocked. We were also surprised by the refusal of the GORNO due to draft. Luckily WAPA was able to due it, or we would have had a lot of hysterical people (we would have had to have them unload cargo back to Unisea).

Anyway, if you need any more info, let me know.
GORNO is the deepest draft vessel. There are no other examples we could find.

Rgds,
Lisa

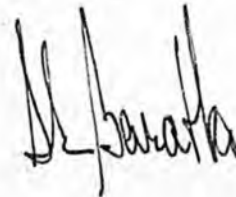
MEMORANDUM (Brief Communications)

State of Alaska

Hudson

TO:	Name	Dept./Div./Sect.	Mall Stop
FROM:	REPRESENTATIVE HUDSON Name	Dept./Div./Sect.	Phone
SUBJ:	MARINE PILOT COORDINATOR	LICENSING? COMM AND ECO DEVEL	2548
	PILOT DISPATCH IN WESTERN ALASKA	Date	6 APRIL 1993

THE ATTACHED IS FOR YOUR INFORMATION. THERE IS OBVIOUS CONCERN BY AMP WHEN A PILOT FROM A COMPETING ORGANIZATION IS GIVEN DISPATCH AUTHORITY BY AN AGENT.



Please copy for committee.

HB 237

SUITE 215
1600 A STREET
ANCHORAGE, ALASKA 99501



(907) 272-0714
FAX: 9072728795
TELEX: 6733427
(MCI)
CABLE: ALAMAR

TO: WESTERN ALASKA PILOT ASSOC.
FM: ALASKA MARITIME AGENCIES/Anchorage
ATTN: MR. BOB BOYD, President
RE: PILOT DISPATCH IN WESTERN ALASKA

Page 1 of 1
April 2, 1993

Dear Bob:

Thank you for your letter of March 31. As you know, we were hoping that AMP and WAPA would be able to negotiate a working agreement regarding dispatch of pilots in Western Alaska for the remainder of the year. However, with the summer season hard upon us and nothing in place, we find ourselves forced to take unilateral action, even if only temporarily, to protect the interests of our customers and keep the ships moving.

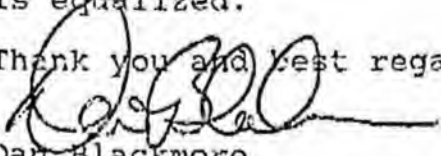
We therefore request that Bob Boyd act as pilot dispatcher for all ALAMAR vessels in Western Alaska for the months of May, June, July and part of August.

We understand that AMP has again offered to sit down with the WAPA group and discuss a joint dispatch agreement. As ALAMAR, we encourage such talks and if an agreement is reached, we will certainly abide by it. However, in the interim we feel we must put a workable, single source dispatch system in place in time for Togiak herring and for that, we ask your help.

I would also like to reiterate ALAMAR's desire to equalize pilot income in the Western region over both groups. We feel it is in our principal's best interest that both associations stay healthy and viable, and we will be discussing with you ways of dividing the work between the two groups which will achieve these ends.

It appears that ALAMAR's current split of 1/3 WAPA; 2/3 AMP may have to be amended in WAPA's favor as we understand that North Star is currently dispatching 3 of every 4 vessels to AMP and ANP Shipping is dispatching all their vessels to AMP. Again, a negotiated joint dispatching arrangement is the best solution, but barring that, we will do what is necessary to see that income is equalized.

Thank you and best regards,


Dan Blackmore
Vice President, Alaska Operations



**ALASKA MARINE PILOTS
& DISPATCHING SERVICE**

P O BOX 730 • DUTCH HARBOR ALASKA 99692 • 907 581 1240

April 1, 1993
VIA FAX

Western Alaska Pilots Association
Dutch Harbor, Alaska

Re: Joint dispatch agreement

Gentlemen:

AMP continues to believe that a joint dispatch agreement for the Western Region is in the best interests of safe and efficient piloting, our customers, and the individual pilots in both groups. However, as our recent exchange of written proposals illustrates, many points of disagreement remain regarding the formation and operation of a joint dispatch system.

At this point, AMP believes that the only productive way to resolve this problem is through face to face negotiations between representatives of our two organizations. While the written exchanges have helped define the issues, we have made no real progress toward resolution. In light of the short time remaining before the summer season is upon us, we believe the time has come to sit down and reason together in earnest.

We therefore urge you to meet with us face to face as soon as possible with an eye toward remaining in the room together until we either have an agreement or become convinced that no agreement is possible under any circumstances. We are willing to meet with one or more WAPA pilots of your choosing any time in Dutch Harbor, Anchorage, or Seattle.

In order to minimize potential personality conflicts as much as possible, we invite WAPA to designate at least two AMP pilots to represent AMP in this negotiation. All we ask of WAPA is that its negotiators be WAPA pilots rather than WAPA's legal counsel or other non-pilot representative. It must be understood, of course, that AMP's negotiators will be consulting with the other AMP members throughout negotiations, and that any final agreement must be approved by a majority of AMP's members. We assume that the same would be true for the WAPA negotiators. The important thing, in our view, is to get people in a room discussing this issue in good faith.

Western Alaska Pilots Association
Dutch Harbor, Alaska
April 1, 1993
Page Two

It may be that we cannot make significant progress without the assistance of a mediator. We understand that Commissioner Paul Fuhs is willing to participate in this negotiation or designate someone from his office to do so. We are content to have you explore this with Commissioner Fuhs, or we will do so if you prefer. Capt. Will Anderson is currently in Juneau, and would be able to check promptly with Commissioner Fuhs' office. We are providing a copy of this letter to Commissioner Fuhs for his information.

AMP's members obviously feel strongly about a number of the issues involved in creating and operating a joint dispatch system. However, we assure you that no issue is off limits for discussion: everything is on the table, and we are willing to consider in good faith anything you may wish to discuss. Our objective is to resolve rather than perpetuate our differences, and we are confident that there is a solution that will be acceptable to all interested parties.

Please respond as soon as possible to AMP's Dutch Harbor office. We look forward to hearing from you.

Alaska Marine Pilots



Capt. Will Anderson

cc: Commissioner Paul Fuhs
(hand delivered)

AMP/Dutch Harbor

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

P.O. BOX 110806
JUNEAU, ALASKA 99811-0806
PHONE: (907) 465-2534

April 5, 1993

HON. William Hudson
Alaska State Legislature
114 Second St.
Juneau, AK 99801

Representative Hudson:

On 1-2 April 1993, an audit of Region One pilotage activities for the period 1 November 1991 thru 30 April 1992 was conducted by the Marine Pilot Coordinator. The research utilized records held by this office, and information provided by Southeast Stevedoring Corporation concerning vessel dispatch. Records utilized by this office were limited to quarterly pilot reports submitted to this office by SEAPA and ACP. Numerical breakout of vessel movements follows:

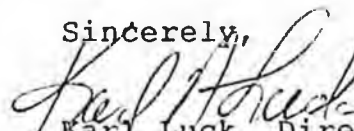
ORGANIZATION	TIMEFRAME		
	OCT-DEC 1991	JAN-MARCH 1992	APRIL 1992
SEAPA	102	85	41
ACP	13	40	15
TOTAL MOVES	115	125	56

PERCENTAGE OF TOTAL MOVES BY ORGANIZATION:

SEAPA%	89%	68%	73%
ACP%	11%	32%	27%

The attached 8 pages of information are reference sources for the information provided here-in. I realize that the presentation of numbers can often be suspect, however all efforts were made to present only factual information in an unbiased manner.

Sincerely,


Karl Luck, Director

Division of Occupational Licensing

ACP

<u>DATE</u>	<u>SHIP</u>	<u>PILOT</u>
10/22/91	Virtue	Spence
10/23/91	Virtue	Spence
10/31/91	Ace Accord*	Spence
11/19/91	Neo Pelargonium*	Spence
11/21/91	Neo Pelargonium*	Homer
11/28/91	Golden APO*	Spence
12/7/91	Fortune Hunter	Spence
12/9/91	Ocean Orchid*	Spence
12/13/91	Ocean Orchid*	Spence
12/15/91	Pacific Sea	Spence
12/17/91	Ocean Orchid*	Spence
12/17/91	Pacific Sea	Spence
12/30/91	Bright Ocean	McPherson
1/6/92	Bright Ocean	Spence/McPherson
1/7/92	Bright Ocean	McPherson
1/9/92	Golden Venture	Nielsen
1/9/92	Sanko Heritage*	Spence/McPherson
1/10/92	Sanko Heritage*	Spence/McPherson
1/12/92	Sanko Heritage*	Spence/McPherson
1/25/92	Spring Vega	Homer/Nielsen
1/27/92	Spring Vega	Homer/Nielsen
1/28/92	Spring Vega	Homer/Nielsen
2/1/92	Spring Vega	Spence
2/4/92	Green Maya	Spence
2/5/92	Green Maya	Spence/McPherson
2/9/92	Handy Accord	Spence/McPherson
2/14/92	World Quince*	Spence/McPherson
2/14/92	Green Maya	Bennett
2/16/92	Green Kobe	Nielsen
2/17/92	World Quince*	Spence/McPherson
2/21/92	Green Kobe	Spence/McPherson
2/22/92	Virginia	Nielsen/McPherson
2/26/92	Bright Ocean	Spence
2/26/92	Fremo Scorpis*	Nielsen/McPherson
2/27/92	Fremo Scorpis*	McPherson
2/28/92	Virginia	McPherson/Nielsen
2/28/92	Virginia	McPherson
2/29/92	Bright Ocean	McPherson/Nielsen
3/2/92	Fremo Scorpis*	Spence/Bennett/McPherson
3/3/92	Virginia	Spence/Bennett/McPherson
3/4/92	Virginia	Bennett
3/6/92	Virginia	Spence/Bennett/McPherson
3/8/92	Woody Duke	Bennett
3/9/92	Shvei Queen*	Bennett
3/12/92	Shvei Queen*	Bennett
3/12/92	Woody Duke	Bennett