

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8148

○ HOUSE STATE AFFAIRS

○

413

**Wayne
Anthony
Ross**

Law Offices of
ROSS & MINER

MAR 4 1994

A Professional Corporation
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Anchorage, Alaska 99503

Wayne Anthony Ross
Edward L. Miner

(907) 276-5307
(907) 276-6672 - FAX

March 4, 1994

Honorable Al Vezey
Alaska House of Representatives
State Capitol
Room 102
Juneau, AK 99801-1182

Dear Mr. ^{al} ~~Vezey~~:

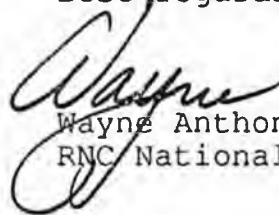
At present, you are considering a number of bills affecting the ownership of firearms. I thought you might find the enclosed articles of interest.

I urge your support for the amendment guaranteeing the individual right to keep and bear arms and allowing for the law-abiding citizen to get a permit to carry a concealed weapon. I urge you, also, to oppose legislation seeking to ban semi-automatic firearms. Our son, Brian, would not have been where he is today if I had not been able to furnish him with my AR-15.

Personally, I have been compelled to carry a concealed weapon on occasion, in violation of current Alaskan law. I don't like to have to do so in violation of law, but I have been the recipient of threats, from time to time, when I have handled a particularly nasty divorce. I shouldn't have to violate the law to protect myself.

Please contact me if I can be of any service to you.

Best regards,



Wayne Anthony Ross
RNC National Committeeman, Alaska

File HB-351
OPPOSED

1340 Spring Glade Road
Fairbanks, AK 99709-6828
Tel. 907-479-2799
10 April 1994

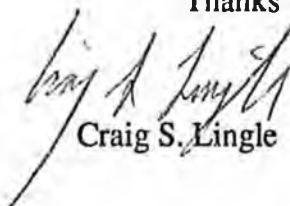
Representative Al Vezey
District 32
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Representative Vezey:

We-all up here on the 'northern frontier' understand that some of the more enthusiastic members down there at the OK Corral are fixin' to legalize the possession of concealed weapons with a bill sponsored by J. James.

Please stomp that sucker dead. We don't need it.

Thanks


Craig S. Lingle

* See commentary, attached.

Shoot 'em up

April 7, 1994

To the editor:

I am impressed by the libertarian boldness and foresight of our Legislature in taking speedy action to legalize concealed weapons. The possibility that we may now be shot at any moment by our friends, as well as our enemies, is at first a sobering thought—but on further reflection it seems a small price to pay for this major social advance. It is certainly difficult to think of a better long-term solution to the “problem of handgun violence” than for everyone to master the quick-draw.

It will, of course, be desirable to make some appropriate changes so Outsiders will be aware of our renaissance social climate. Our license plates, for instance, could

be changed to read “Alaska, Land of Desperadoes.”

This bold step forward brings to mind great slogans of the past: “A Chicken in Every Pot,” “Two Cars in Every Garage,” and now, “A Handgun in Every Pocket.”

Craig S. Lingle
Fairbanks

HB

353

HOUSE COMMITTEE REP

(7)

Date Referred: March 11, 1994

FURTHER REFERRALS:

Date of Committee Action: 3-26-94

The STATE AFFAIRS Committee considered:

HB 353

HOUSE BILL NO. 353

CONDOMINIUM ASSOCIATION MANAGEMENT

"An Act repealing the requirement of an annual audit of the receipts and expenditures applicable to certain property managed under the Horizontal Property Regimes Act."

RECOMMENDATIONS:

be replaced with original bill #13-353 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 _____

zero fiscal note(s) COMMITTEE

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

[Signature]
 CHAIRMAN'S SIGNATURE

FISCAL NOTE

No. 1
 Bill Version: CSHB 353(L&C)
 (H) Publish Date: 3/11/94

STATE OF ALASKA
 1994 LEGISLATIVE SESSION

Revision Date: 1/21/94 Department: Commerce and Economic Dev.
 Title: Repealing the requirement of an annual audit....under BRU: Occupational Licensing
the Horizontal Property Regimes Act. Component: Operations
 Sponsor: Representative James
 Requestor: House Labor & Commerce COMPONENT SERIAL NO. 1844

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) cost: \$ None

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

HB 353 does not impact requirements of the Alaska Real Estate Commission.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
 Division: Occupational Licensing Date: January 21, 1994
 Approved by Commissioner: Paul Fuhs Date: _____
 Agency: Commerce and Economic Development

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COMMITTEE COPY

Comm. & ECON. DEV. F.N.

(7)

Date Referred: January 10, 1994

FURTHER REFERRALS:

State Affairs

Date of Committee Action: 3/10/94

The LABOR AND COMMERCE Committee considered:

HB 353

HOUSE BILL NO. 353

HORIZONTAL PROPERTY MANAGEMENT

"An Act repealing the requirement of an annual audit of the receipts and expenditures applicable to certain property managed under the Horizontal Property Regimes Act."

RECOMMENDATIONS: [] the same title
be replaced with [] a new title

[] have attached amendments(s)

[] do pass

[] do not pass

[] no recommendations

[X] 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) _____

[X] zero fiscal note Commerce

[] zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	A
Brian S. Porter	✓	Edna Hulse		✓	
Al Sutter	✓	Ch. R. Williams		✓	
Jimmy [unclear]	✓	[unclear]		✓	
Bill Hulse	✓				

Bill Hulse
CHAIRMAN'S SIGNATURE

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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

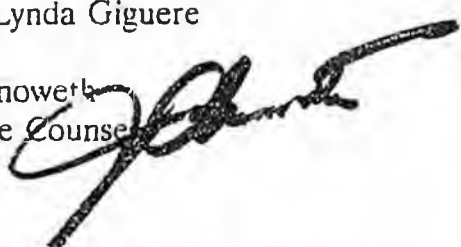
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 9, 1994

SUBJECT: Draft CSHB 353 (L&C) (Work Order No. 8-LS1474J)

TO: Representative Bill Hudson, Chair
House Labor & Commerce Committee
ATTN: Lynda Giguere

FROM: Jack Chenoweth
Legislative Counsel 

A brief word of explanation about the enclosed draft.

You asked me to prepare language, in the form of a draft committee substitute, to "level the playing field" with respect to the financial statement reporting requirements applicable to condominium associations. Condominium association activities are principally controlled by two Acts, the Horizontal Property Regimes Act (AS 34.07) and the Uniform Common Interest Ownership Act (AS 34.08).

Requirements under Uniform Common Interest Ownership Act (AS 34.08):

The Uniform Common Interest Ownership Act is the later of the two acts in time. It applies to condo associations operating on and after January 1, 1986. Certain provisions of the Uniform Common Interest Ownership Act may apply to condo associations that were established before that date. ^{1/} For associations now covered

^{1/} See AS 34.08.040:

APPLICABILITY TO PREEXISTING COMMON INTEREST COMMUNITIES. Except as provided in AS 34.08.050, the provisions of AS 34.08.110, 34.08.120, 34.08.290, 34.08.320(a)(1) - (6) and (11) - (16), 34.08.420, 34.08.470, 34.08.490, 34.08.510, 34.08.590, 34.08.670, 34.08.720, 34.08.730, 34.08.740, and 34.08.990, to the extent necessary in construing any of those sections, apply to all common interest communities created in the state before January 1, 1986, except that the sections apply only with respect to events and circumstances occurring after January 1, 1986, and do not

(continued...)

SUMMARY

by the Uniform Common Interest Ownership Act, AS 34.08.490(a) imposes this requirement on the keeping of financial records:

(a) The association shall keep financial records sufficiently detailed to enable the association to comply with AS 34.08.590. ^{2/}

^{1/}(...continued)

invalidate existing provisions of the declaration, bylaws, or plats or plans of the common interest communities.

^{2/} The cross-reference to "AS 34.08.590" is a reference to the so-called "resale certificate" requirement, the requirement of AS 34.08.590(a) that the association prepare and provide a resale certificate to a unit seller, when requested. The statute sets out the following as the necessary components of the resale certificate:

(a) . . . [A] unit owner shall furnish to a purchaser before execution of a contract for sale of a unit or before conveyance a copy of the declaration, as amended, the bylaws, the rules or regulations of the association, and a certificate containing a statement disclosing

(1) the effect on the proposed disposition of a right of first refusal or other restraint on the free alienability of the unit;

(2) the amount of the monthly common expense assessment and any unpaid common expense or special assessment currently due and payable from the selling unit owner;

(3) any other fee payable by unit owners;

(4) any capital expenditures in excess of \$3,000 approved by the executive board for the current and two next succeeding fiscal years;

(5) the amount of reserves for capital expenditures and of any portions of the reserves designated by the association for a specified project;

(6) the most recent regularly prepared balance sheet and income and expense statement, if any, of the association;

(7) the current operating budget of the association;

(8) any unsatisfied judgment against the association and the status of any pending suit in which the association is a defendant or plaintiff;

(9) any insurance coverage provided for the benefit of unit owners;

(10) whether the executive board has knowledge that any alterations or improvements to the unit or to the limited common elements assigned to the unit violate any provision of the declaration;

(11) whether the executive board has knowledge of any violation of a health or safety, fire, or building code or other law, ordinance, or regulation with respect to the unit, the limited common elements assigned to the unit, or any other portion of the common interest community;

(12) a statement of the remaining term of a leasehold estate affecting the common interest community and the provisions governing an extension or renewal of the lease;

(continued...)

Financial and other records must be made reasonably available for examination by a unit owner and an authorized agent of a unit owner.

There is no separate requirement of an annual or periodic audit of the financial transactions of the associations that are covered by the Uniform Common Interest Ownership Act.

Requirements under Horizontal Property Regimes Act (AS 34.07):

Though it uses the terms "apartment" (in reference to an individual unit) and "association of apartment owners" (in reference to the condo association), the Horizontal Property Regimes Act applies to **condominiums and condominium associations**. Under AS 34.07.280(b)^{2/}, an annual audit is required of the condominium association, and the duty to make arrangements for one is imposed on the association's manager or its board of directors.

*

The draft committee substitute makes changes only to AS 34.07.280(b). It (1) eliminates the requirement of an annual audit, (2) substitutes a directive that for the purpose of keeping financial records, if the "association of apartment owners" (using the words of AS 34.07) is subject to AS 34.08, the performance standard be exactly

^{2/}(...continued)

(13) a statement of any restrictions in the declaration affecting the amount that may be received by a unit owner upon sale, condemnation, casualty loss to the unit or the common interest community, or termination of the common interest community; and

(14) in a cooperative, an accountant's statement, if any was prepared, as to the deductibility for federal income tax purposes by the unit owner of real estate taxes and interest paid by the association.

^{2/} In this draft committee substitute, I propose to replace the text of AS 34.07.280(b). So that you may understand the context in which that change would appear, the entire section now reads:

RECEIPTS AND EXPENDITURES RECORDS TO BE KEPT.

(a) The manager or board of directors shall keep detailed and accurate records in chronological order of the receipts and expenditures affecting the common areas and facilities, specifying and itemizing the maintenance and repair expenses of the common areas and facilities and any other expenses incurred.

(b) All books and records shall be kept in accordance with good accounting procedures and shall be audited at least once a year by an auditor outside of the organization.

Representative Bill Hudson

March 9, 1994

Page 4

the same as set out in AS 34.08.490 and, if the "association of apartment owners" is exempt from AS 34.08, for purposes of "leveling the playing field," the standard of performance is that of being able to provide "an accurate balance sheet and accurate income and expense statement of the association," ^{4/} and (3) to avoid any question on the point, authorizes, as the condominium association manager or board of directors may decide, preparation of a formal audit.

JBC:mi

94-052.mai

Enclosure

^{4/} I derive this standard directly from the language of AS 34.08.590(a)(6), the text of which is set out in footnote 2.

HB

358

HOUSE COMMITTEE REPORT

7)

Date Referred: January 10, 1994

FURTHER REFERRALS:

Finance

Date of Committee Action: 3-24-94

The STATE AFFAIRS Committee considered:

HB 358

HOUSE BILL NO. 358

MOBIL HOME REGISTRATION

"An Act allowing a mobile home owner to request a certificate of title from the Department of Public Safety."

RECOMMENDATIONS:

be replaced with CSHB-358 (STA) 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 (2)

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

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

[Signature]
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSHB 358(STA)

Revision Date: 03/29/94 Dept. Affected: Public Safety
 Title: An Act relating to a certificate of title BRU: Motor Vehicles
for a mobile home. Component: Field Services
 Sponsor: Representative Porter
 Requestor: H.JUD COMPONENT SERIAL NO. 502

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	110.0	110.0	110.0	110.0	110.0	110.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT	30.0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	140.0	110.0	110.0	110.0	110.0	110.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (1005) <small>Revenue Code</small>	250.0	250.0	250.0	250.0	250.0	250.0

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	140.0	110.0	110.0	110.0	110.0	110.0
1006 GF/MHTIA						
Other						
TOTAL	140.0	110.0	110.0	110.0	110.0	110.0

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME	3	3	3	3	3	3
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

2,500 titles per year @ \$100.00 250.0 in Revenue Please see attached

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 03/29/94
 Approved by Commissioner: _____ Date: 03/29/94
 Agency: Richard L. Burton, Dept. of Public Safety

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MHW
3/27/94

This bill requires the Division of Motor Vehicles to issue titles to all mobile home owners. For the purposes of this fiscal note analysis, the mobile home industry in Alaska has advised they sell approximately 1,500 mobile homes a year and another 1,000 homes are sold by individual owners. This would require the division to title approximately 2,500 mobile homes yearly.

Based on this information, three full-time Motor Vehicle Representative II's would be required. Since this bill requires owners to title the mobile homes, one of the positions would be used to do the research on all of the older mobile homes. Research is very labor intensive since the titles will not stay on the computer system if there has been no activity for several years. The periodic purging of records is done to reduce computer storage costs. Since mobile homes were not required to be registered there is usually no activity on the record after the initial title issuance. The other two positions would be used to issue mobile home titles. It is anticipated these position would be located in Anchorage since the majority of the mobile home sales occur in that area of the state.

COST SUMMARY

Personnel

3 PFT Motor Vehicle Representative II's (range 9) 110.0

Equipment

3 Computer workstations @10.0 each 30.0

TOTAL 140.0

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SSHB 358

Revision Date: 03/02/94 Dept. Affected: Public Safety
 Title: An Act relating to a certificate of title BRU: Motor Vehicles
for a mobile home. Component: Field Services
 Sponsor: Representative Porter
 Requestor: H.STA COMPONENT SERIAL NO. 502

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	110.0	110.0	110.0	110.0	110.0	110.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT	30.0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	140.0	110.0	110.0	110.0	110.0	110.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (1006) <small>Revenue Code</small>	250.0	250.0	250.0	250.0	250.0	250.0

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	140.0	110.0	110.0	110.0	110.0	110.0
1006 GF/MHTIA						
Other						
TOTAL	140.0	110.0	110.0	110.0	110.0	110.0

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME	3	3	3	3	3	3
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

2,500 titles per year @ \$100.00 250.0 in Revenue Please see attached

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 03/02/94

PH
3/2/94

Porter

This bill requires the Division of Motor Vehicles to issue titles to all mobile home owners. For the purposes of this fiscal note analysis, the mobile home industry in Alaska has advised they sell approximately 1,500 mobile homes a year and another 1,000 homes are sold by individual owners. This would require the division to title approximately 2,500 mobile homes yearly.

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COST SUMMARY

Personnel

3 PFT Motor Vehicle Representative II's (range 9) 110.0

Equipment

3 Computer workstations @10.0 each 30.0

TOTAL 140.0

01/13/1994 11:52:05 =====

01/13/94 Position Information Inquiry/Update 11:52:29

Position: 12-125305	Project: 0	Salary Costs: 24,288.00
Component: 12-55-07-07-01-03		Benefits Costs: 12,365.66
Scenario: 2 FY: 95	COLA %= 0.00	Total Costs: 36,653.66

Actuals from Payroll (Status: FILLED) Retirement Code: A

A	° Step: B for 12.0 months & Step: C for	0.0 months (total: 12.00)
94/03/16	° Merit Date; use merit defaults?	N (8.5 @ B & 3.5 @ C)
1	° Class/Sched Prefix: 1	Schedule: 1A (actual: 1A)
GG	° Bargaining Unit: GG	Range: 09 (actual: 08)
EBA	° Location Code: EBA	Place: ANCHORAGE
P7549 ?	° Job Class Code: P7550	Title: MOTOR VEHICLE REP II
F	° Seasonal Indic.: F	Type: FACL - FULL TIME / OMB AUTH

Optional Override Salary Rates:

Monthly Rate: 0.00 for 0.0 months & rate of 0.00 for 0.0 months
 Hourly Rate: 0.00 for 0.0 months Frozen at this rate? (Y/N): N

Press ENTER to update record; enter # or use PF key to go to another screen:
 1=Premium pay info 2=Funding info 4=Code Translations 6=Calculations
 8=Detail Report 12=Exit w/o update Selection: 0_

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act allowing a mobile home owner to request a certificate of title." BRU: Motor Vehicles
 Component: Field Services
 Sponsor: Representative Porter
 Requestor: H. STA COMPONENT SERIAL NO. 502

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL						
CHANGE IN REVENUES (1004)	10.0	10.0	10.0	10.0	10.0	10.0

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

200 titles per year @ \$50.00 \$10.0

Prepared By: Charles R. Hosack Phone: 269-5559
 Division: Motor Vehicles Date: 1/19/94
 Approved by Commissioner: *[Signature]* Date: 1/20/94
 Agency: Richard L. Burton, Dept. of Public Safety

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Handwritten: 1/20/94

8-LS13230
Ford
3/23/94

CS FOR HOUSE BILL NO. 358()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES PORTER, Mulder

A BILL
FOR AN ACT ENTITLED

1 "An Act allowing a mobile home owner to obtain a certificate of title from the
2 Department of Public Safety."

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

4 * Section 1. AS 28.10.201(b) is amended to read:

5 (b) The owner of a vehicle described in AS 28.10.011 as being exempt from
6 registration and the owner of a snowmobile or off-highway vehicle may not apply for,
7 nor may the department issue, a certificate of title for the [SUCH A] vehicle.
8 However, the department

9 (1) may issue a certificate of title to the owner of a vehicle exempt
10 from registration under AS 28.10.011(3), (6), (7), or (11) only upon application by that
11 owner; and

12 (2) may issue a certificate of title to the owner of a mobile home
13 upon application and payment of a fee of \$100 by the owner; a certificate of title
14 issued under this paragraph must comply with AS 28.10.231.

Alaska State Legislature

Representative Brian S. Porter



CHAIRMAN
HOUSE JUDICIARY COMMITTEE

MEMBER
HOUSE LABOR & COMMERCE COMMITTEE
SELECT COMMITTEE ON LEGISLATIVE ETHICS

MEMBER
FINANCE SUBCOMMITTEES
DEPARTMENT OF LAW
DEPARTMENT OF PUBLIC SAFETY
COURTS

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FAX: (907) 465-3834

INTERIM:
710 W. 4TH AVE., SUITE 040
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8197
FAX: (907) 258-5510

DISTRICT 20

SPONSOR STATEMENT

When the legislature passed the final version of SB 99, the Governor's Omnibus Fee and Cost Reduction bill, the Department of Motor Vehicles' authority to issue titles to mobile homes was repealed. This change has significantly lengthened the time involved in selling or purchasing mobile homes.

Previously, financing could be arranged when the lender was presented with the title, which was easily accessible through the DMV. As it is now, when a potential buyer approaches a financial institution about mobile home financing, a UCC search will need to be made on all prior owners, both with the State and with the district in which the mobile home is located.

As mobile homes are sold and titles cease to be issued, it will be increasingly difficult for consumers, lenders and dealers alike to determine whether or not a mobile home is encumbered or who a lean or mortgage holder might be. Without DMV titles, there is no public notice of a person's ownership interest in a mobile home.

If mobile home sales become more difficult to finance, then the value of everyone's home is reduced.

Dealers, financial institutions and consumers are in agreement that they themselves should pay an appropriate fee to cover the costs of maintaining a title system. The costs of UCC searches, both in time and money, far outway the potential cost of titling/registration.

Resumption of the DMV titling process would certainly eliminate a lot of time and confusion for both the public and financial institutions with the transfer and documentation of mobile homes.

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

MAR 17 1994

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

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

MEMORANDUM

March 17, 1994

SUBJECT: Registration of mobile homes - (HB 358)

TO: Representative Al Vezey

FROM: Michael F. Ford *M.F.*
Legislative Counsel

You have asked several questions relating to registration and titling procedures of the Department of Public Safety. Each question will be addressed in turn.

1. Given that the department registers house trailers and not mobile homes, what is the difference between the two.

While neither term is defined, I believe that house trailer is intended to cover a vehicle that is designed to be towed behind a another vehicle on a frequent basis, while a mobile home is a vehicle that may be moved or towed on a highway, but is not designed to be moved or towed frequently.

2. What means can be established to provide clear title to a mobile home owner.

Probably the best system is some form of title issued by the state, similar to car titles. The Department of Public Safety used to issue titles for mobile homes and could be authorized to do so again. Also, there is already existing law that sets guidelines as to what the state would require in order to issue a title in situations where ownership is in question. See AS 28.10.216.

3. Can the state require a quiet title action or affidavit in order to establish clear title.

The state can impose any requirements necessary to prove ownership, including an affidavit, a judgment of a court, a bill of sale or some other method.

4. What legal restraints are there on title companies that would prevent issuance of title insurance on a mobile home or house trailer.

Representative Al Vezey
March 17, 1994
Page 2

The only impediment to title insurance is that the title must be "insurable." This means that under the established underwriting practices, that the insurer is confident that the person insured is the legal owner of the property. If there is doubt as to the ownership, then the title company could decline to issue the insurance. See AS 21.66.170.

5. How can the Department of Public Safety be authorized to issue titles for mobile homes without getting bogged down in title searches.

If the problem is avoiding extra administrative costs in providing clear title, the legislature could shift the burden of providing clear evidence of ownership to the applicant. In short, the department would only issue mobile home titles when adequate proof of ownership is provided. This should reduce the administrative cost to a minimum.

Please contact me if you have further questions.

MFF:pl
94-218.plm

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

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

MEMORANDUM

March 8, 1994

Received

MAR 10 1994

STUBBS

SUBJECT: Mobile home titles - (HB 358)

TO: Representative Brian Porter

FROM: Michael F. Ford *MF*
Legislative Counsel

You have asked a series of questions regarding titles for mobile homes. Generally the legislature is free to create any system it chooses for providing title to a mobile home purchaser. In the past, the Department of Public Safety issued titles to mobile home owners, in a the same manner as the system for issuing title to a motor vehicle owner. Under HB 358, the Department of Public Safety would again be issuing titles to mobile home owners. The following are your questions, with our response:

1. Is a title issued through DMV the best way to do this?

This answer depends on the purpose for issuing the title. If the purpose for issuing title is to indicate ownership in the same manner as a motor vehicle title, then the DMV system would seem to have some advantages. The department already issues titles for motor vehicles and has issued mobile home titles in the past. It would seem a relatively minor change to require DMV to add mobile homes to the process. The fiscal impact could be negated by simply charging an appropriate amount for issuing the title.

2. What other means are currently available to establish reasonable assurance of ownership?

Ownership of a mobile home can be established by possession, by a bill of sale, or by any written or oral evidence that the person is the rightful owner.

3. Is there a better way to establish proof of ownership or a public record of ownership?

I don't know that another system would be better, but the legislature could create a different system than that contemplated by HB 358. The system could be similar to

Representative Brian Porter
March 8, 1994
Page 2

the title system used to reflect ownership of a motor vehicle, but could be administered by another department, such as Commerce and Economic Development. There will be administrative costs to any system. The only existing system I know of is the one in DMV.

4. Is a U.C.C. filing an appropriate vehicle for mobile homes?

I don't believe that the U.C.C. is the appropriate place for handing mobile home titling. The U.C.C. filing system is a generic system primarily designed for establishing security interests in personal property, not for recording titles. It would be inconsistent with the uniform purpose of the U.C.C. to set up some type of special mobile home ownership system within the U.C.C. itself. However, the physical recording system could also be used for recording titles under a separate statute.

5. Would a filing of a bill of sale, warranty deed, or quitclaim deed be an appropriate vehicle?

If the goal is to assure ownership, either a title from a state agency, or a bill of sale would likely be sufficient. A deed would not seem appropriate in that deeds usually are only provided for real property. While a mobile home may be covered in a deed as an improvement to real property, a deed would not normally be used when only the ownership of the mobile home is in question.

6. What would have to be done to get title insurance companies to issue policies on mobile homes?

I am not aware that title insurance is unavailable for mobile home owners. There is nothing in existing law that prohibits a title insurer from issuing title insurance on a mobile home. Under AS 21.66.480 "title insurance" is defined as insurance for the owner of real or personal property against liens, defects, or unmarketable titles. Therefore under existing law a title insurer could issue title insurance for a mobile home. Before issuing title insurance, a title insurer must first make a determination that the title is insurable in accordance with established underwriting practices (See AS 21.66.170). If title insurance is not available due to a lack of evidence of a title for a mobile home, perhaps a state system for issuing titles would alleviate this problem. I would suggest you also contact the division of insurance on this matter. They may have further information on title insurance underwriting requirements.

If you have further questions on these matters please contact me.

MFF:gc
94-179.glc



8535 OLD DAIRY RD, SUITE 103, JUNEAU, AK 99801
Off. (907) 790-4848 FAX (907) 790-4800

DATE: MARCH 2, 1994

TO: REPRESENTATIVE AL VESEY
STATE AFFAIRS COMMITTEE

TAW
FROM: TERRY A. WHITBECK, BROKER
ALL STAR, REALTORS
JUNEAU, ALASKA

RE: HOUSE BILL NO. 358

This is testimony in support of House Bill 358 allowing owners of mobile homes to secure a certificate of title from the Department of Public Safety.

I am the Broker/Owner of All Star, Realtors in Juneau, Alaska. Our company is the market leader of the Juneau Multiple Listing Service (JMLS) in the mobile homes in parks market. Of the 61 mobile homes in parks listed with JMLS since 1/1/93 we have listed 52%. All Star, Realtors also sold 61% of the mobile homes sold through JMLS since January 1, 1993.

Of the 897 mobile homes in 10 parks in Juneau, approximately 6% to 10% will be for sale during the year. Approximately 7% of this 897 belong to out of town owners.

The situation of treating mobile homes in parks as personal property without any sort of registration or recording of liens leaves the owner and potential buyer without any protection of ownership of their home or asset.

Without a title there is no way of knowing for certain that the person selling the mobile home is the legal owner. Another related question is whether the owner has the right to sell without paying off a lienholder.

Currently the only way we have to transfer ownership is through a Bill of Sale. This Bill of Sale can be purchased by anyone at any office supply store and can be completed by anyone. There typically is no provision for a lienholder on the Bill of Sale. Since a Bill of Sale is for personal property it cannot be recorded at the State Recorder's Office.

There is nothing to prevent a dishonest owner from selling a mobile home without clear title to an unsuspecting buyer who later finds out he/she has paid \$35,000 cash for their home only to find out that Alaska Housing Finance is foreclosing due to nonpayment of the mortgage.

HB 358 TESTIMONY PAGE 2

Without a title, how can an honest owner prove that he or she does indeed own the mobile home offered for sale.

Further, what is to prevent a tenant, whose landlord lives out of town, from creating a Bill of Sale and selling the mobile home to an unsuspecting buyer.

For many young couples a mobile home is their first home due both to cost of housing and availability. These couples have not purchased a home before and have no way of knowing that a Bill of Sale may not be genuine or whether the person they are dealing with is honest.

Common cash buyers of mobile homes are the retirees. These folks are typically on a fixed income and prefer to pay cash in order to keep their monthly expenses at a minimum. It could be devastating to their health and financial well-being to buy a mobile home and face eviction by the rightful owner or to be told that Alaska Housing Finance Corporation has a mortgage on their home.

Finally, there is nothing to protect the real estate agent from fraud in a mobile home sale. To date, we have required that sellers produce a title and have sellers sign the title over to the new buyers, however, these buyers are likely to be sellers some day. How can they prove ownership to us in the future? How can the real estate agent assure a buyer their ownership is genuine?

Those who own and live in mobile homes consider their property. By issuing a certificate of title, their ownership can be assured and protected.

I respectfully urge you to pass HB 358.

ALASKA MANUFACTURED HOUSING ASSOCIATION

September 21, 1993

Senator Tim Kelly
716 W 4th Ave., Suite 400
Anchorage, AK 99501-2133

Dear Senator Tim:

Enclosed please find a letter of support for amending SB 99 from Dick Enberg. You may already have received it directly.

As you know, the Alaska Manufactured Housing Association is acutely aware of the problems being experienced by the lending institutions, which also create problems for the mobile home industry. If mobile home sales become more difficult to finance, then the value of everyone's home is reduced. We hope the Legislature recognizes the hardship caused by the elimination of title registration by D.M.V.

AMHA has no objection to the setting of a reasonable fee for title registration or transfer. We would expect the program to be expense neutral.

We wish to express our appreciation to you for attending our meeting of September 16 and your willingness to sponsor the amendatory bill.

Sincerely,



Bernard L. Marsh
Executive Secretary

BLM:ckf

cc: Ira Walker
Leonard Gross

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Bert Sharp
Senator Judy Salo
Senator Georgianna Lincoln



STATE CAPITOL, SUITE 101
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-3822
FAX: (907) 465-3756

SENATE LABOR AND COMMERCE COMMITTEE

October 21, 1993

716 W 4TH, SUITE 400
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8180
FAX: (907) 258-4524

Benard L. Marsh, Executive Secretary
Alaska Manufactured Housing Association
2550 Denali Street, Suite 504
Anchorage, Alaska 99503

Dear Ben,

Thank you for forwarding Mr. Enberg's letter supporting the issuing of titles from the Department of Motor Vehicles (DMV) for manufactured housing. It should prove helpful this coming session as we attempt to favorably resolve this issue.

For your information, I've enclosed a letter from Sharon Stone, the State Recorder, regarding supplemental funding provided by the Legislative Budget and Audit Committee. These funds should address the U.C.C. Central Office and district offices' backlog, resulting in more timely U.C.C. searches and filings. You will note that from the recorder's perspective, re-establishing titling of manufactured housing in the DMV would help alleviate public confusion and provide a needed mechanism for owners to document their ownership in the public record.

Thanks again for bringing this matter to my attention. I look forward to working with you to resolve this issue next session.

Sincerely,

A handwritten signature in cursive script that reads "Tim".

TIM KELLY

cc: Senator Steve Frank
Senator Randy Phillips
Representative Eldon Mulder
Representative Brian Porter
Ira Walker, AMHA
Leonard Gross, AMHA
Dick Enberg, First National Bank of Anchorage
Jay Dulaney, DMV

DEPARTMENT OF NATURAL RESOURCES

SUPPORT SERVICES DIVISION

State Recorder's Office
3601 C Street, Suite 1180
Anchorage, AK 99503
(907) 762-2437

October 6, 1993

The Honorable Tim Kelly, Chair
Senate Labor & Commerce Committee
Alaska State Legislature
716 W. 4th, Suite 400
Anchorage, AK 99501-2133

Re: Recorder's/UCC Component, Department of Natural Resources

Dear Senator Kelly:

Your correspondence to the Legislative Budget and Audit Committee dated September 14, 1993, in support of the Recorder's Office RPL 10-4-4013 was sincerely appreciated. LB&A did approve our request to receive and expend program receipts in the amount of \$89.6 to fund two vacant positions and additional expenses associated with unusually high recording volumes occurring in the first quarter of FY94. The increased workload is directly attributable to the large numbers of refinances occurring in all component locations, and generally increasing economic activity statewide.

Recording volumes are typically cyclical and are of course entirely determined by external forces over which we have no control. The user community willingly pays for recording services, and the component generates approximately \$1 million in excess of its requisite operating funds annually. The Revised Program funding approved by LB&A comes at a very critical time for the component, which has been facing increasing numbers of operational backlogs.

Your letter expressed particular concern about the time frames associated with UCC searches in the component's district offices and in UCC Central. While all component locations strive to complete all searches within 24 to 48 hours of receipt, occasional document processing backlogs extend this turnaround time to five days or more. One of the recording offices operated by the Alaska Court System (Seward) has been experiencing about a two week turnaround. Of course, the mail time is also a factor over which we have no control. Conceivably, two weeks or more could elapse between the time a lender sends a search request by mail and the time the certified response is received by return mail after processing, but the actual processing time is almost always less than five days, and usually less than two. In the past year, the

Senator Kelly
October 6, 1993
Page Two

Anchorage Recorder's Office has occasionally had a maximum turnaround time of up to seven days, but is ordinarily well within the 48 hour processing time frame. Two factors should actually help to lessen the turnaround time on UCC searches statewide. The RPL funding approved by LB&A last month will provide additional staffing in Anchorage, the state's largest volume office, and a portion of the daily workload of these recorders is the processing of UCC searches in the order in which they are received.

Additionally, we are in the process of completing an automated UCC search program for the district offices, similar to that already implemented at UCC Central. A pilot of this program should be in place during the second quarter of FY94. While this automated program won't reduce turnaround times significantly on copy searches (since the copying process is entirely manual), it will speed up the process substantially on information only searches, which comprise approximately one-third of the search volume generated statewide.

Your letter also addressed DMV's titling of mobile homes and the elimination of that authority by legislation last session. From feedback we have received, this has been particularly troublesome for the public to accept. We continue to get numerous calls from the public who are seeking advice on how to document their ownership of mobile homes. We are unable to offer legal advice of this nature. These people are uncomfortable with not having a physical document of title to evidence their ownership, such as the title documents formerly issued by DMV. Many times they are seeking to record a mobile home bill of sale or similar document which we are unable to accept due to statutory and regulatory restrictions. Real property owners can record their deeds to place the entire world on notice of their interest. Without DMV titles, there is no public notice of a person's ownership interest in a mobile home.

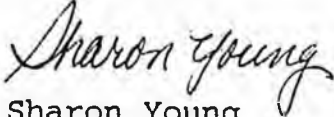
While lenders can and do file UCC financing statements on mobile homes that they finance, there is currently no mechanism for a mobile home owner to document his ownership in the public record. You have indicated that your intent is to see that this problem is addressed legislatively in the next session. Resumption of the DMV titling process would certainly eliminate a lot of the confusion for the public and would significantly reduce the number of public inquiries in our office on this subject.

Once again, thank you for your support of our Revised Program request. We will endeavor to maximize this investment and will take steps to assure that your concerns about UCC searches are promptly and adequately addressed.

Senator Kelly
October 6, 1993
Page Three

Please do not hesitate to contact me at any time if you have questions about our component or its activities.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Young".

Sharon Young
State Recorder

cc: Nico Bus, Acting Director
Support Services Division

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Bert Sharp
Senator Judy Salo
Senator Georgianna Lincoln



STATE CAPITOL, SUITE 101
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-3822
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SENATE LABOR AND COMMERCE
COMMITTEE

716 W. 4TH, SUITE 400
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8180
FAX: (907) 258-4524

Received September 14, 1993

SEP 22 1993

REP BRIAN PORTER

Senator Randy Phillips, Chair
Legislative Budget and Audit Committee
State Capitol, Room 103
Juneau, Alaska 99801-1182
FAX: 465-4979

*file in
mobile home
title will file*

COPY

Dear Senator Phillips,

It has come to my attention that the Office of Management and Budget has submitted RPL 10-4-4013 to the Legislative Budget and Audit Committee requesting general fund program receipts to fill two authorized vacant positions in the State Recorder's office. I am writing to encourage the committee to approve this request.

When the legislature this last session passed the final version of SB 99, the governor's omnibus fee and cost reduction bill, the Department of Motor Vehicles' authority to issue titles to mobile homes was repealed. This provision was included in the bill as originally introduced, but removed in the Senate Finance Committee at Senator Frank's request. The House reinserted the provision and the Senate concurred in the House amendments.

This change has significantly lengthened the time involved in selling or purchasing mobile homes, or manufactured housing. In order to arrange financing for purchasers, potential lender's must now file a U.C.C. 11, or search, and then a U.C.C. 1, or lien, both in the U.C.C. central office and the local recorder's district office. Given the current backlog at the recorder's office due to the increased volume of real estate filings, this process can take weeks.

Previously, financing could be arranged when the lender was presented with the title, which could be obtained if needed by a trip to the DMV that same day. (Moreover, lender's are less comfortable providing loans for manufactured housing without a title.)

Senator Randy Phillips, Chair
Legislative Budget & Audit Committee
September 14, 1993
Page 2

Next session it is my intent to see this problem addressed legislatively. Until then, however, the recorder's office must have the necessary personnel to get caught up on their backlog and expedite new filings. The two positions the State Recorder has requested are unfilled authorized positions, and I understand the program receipts would more than cover their cost.

I'd like to thank you and the committee in advance for your consideration.

Sincerely,



TIM KELLY, Chair
Senate Labor & Commerce Committee

cc: Senator Steve Frank
Representative Eldon Mulder
Representative Brian Porter
Ira Walker, Alaska Manufactured Housing Association
Jay Dulaney, Director, DMV
Sharon Young, State Recorder



First National Bank
of Anchorage

September 16, 1993

Received

OCT 05 1993

C. F. BRIER & POOLER

Alaska State Legislature
3111 C Street
Anchorage, Alaska 99503

Honorable Members of the Legislature:

First National Bank of Anchorage respectfully requests that the State reconsider its 1993 legislation regarding the Division of Motor Vehicles no longer issuing titles to mobile homes. As mobile homes are sold and titles cease to be issued, it will become increasingly difficult for consumers, lenders and dealers alike to determine whether or not a mobile home is encumbered or who a lien or mortgage holder might be.

When lending against a mobile home for which no current title exists, financial institutions will have to use extreme caution. When a potential buyer approaches a financial institution about mobile home financing, it will be imperative that they have a clear record of all previous owners of the mobile home that they wish to purchase. A UCC search will need to be requested on all prior owners, both with the State and with the district in which the mobile home is located. A search, with copies of any lien documents that may be in existence, currently costs \$15.00 per name per district in which the information is requested. Even after a thorough search of both the state and local district's records, it is possible that a lien may exist in another district (where a prior owner may have had the mobile home at one time). Aside from searching the State's records and each of the individual 34 district's records for liens against all prior owners, it is impossible to verify that a mobile home is unencumbered. It is also important to note here that the State does not guaranty the validity of it's own search.

An entirely different set of problems will be created when individual sellers elect to "carry" the financing themselves. It is my opinion that this method of financing will cease.

Page 1 of 2

Consumers will have the same problems when purchasing a used mobile home with their own funds. Not only are they likely to be hesitant to purchase a mobile home, at a cost of anywhere from between \$5,000 to \$50,000, and not be given a Title but, because the general public has little knowledge of the Uniform Commercial Code, they will be ill-prepared when it comes to protecting themselves against purchasing a mobile home which may be subject to existing liens, or worse yet, purchasing it from someone who doesn't have the right to sell it. Anyone can draft a bill of sale, claiming to own a mobile home, and then sell it to an unwitting buyer. As the economy picks up, the sale of both new and used mobile homes is picking up as well. The potential for fraudulent transfer of ownership looms much larger with the current legislation in place.

*If State budget constraints are to blame for the elimination of DMV processing of mobile home titles, then dealers, financial institutions or the consumers themselves should pay an appropriate fee to cover the costs of maintaining a title system. The cost of the UCC searches, both in time and money, far exceeds the potential cost of titling/registration.

Once again, we ask that you take time to reconsider this legislation, in the interest of both the Alaskan consumer and the financial institutions to whom they turn for financing.

Thank you in advance for your consideration.

Yours truly,



Richard C. Enberg
Sr. Vice President
Corporate Lending Division
(907) 265-3563

cc: Leonard H. Gross, Vice President
Southwood Manor, Inc.

CRA ASSESSMENT FACTOR V-K



Alaska State Legislature

Brian Porter
Rep Eldon Muddler

Please enter into the record my testimony to the Senator Tim Kelly
committee name

committee on House Bill # 358, dated 1-28-94
bill/subject

I am a citizen of Alaska and a resident of Juneau. My husband and I live in the Churchill Trailer Park in Lemon Creek.

We just recently made our final payment on our trailer and have learned that the handling of trailer titles is confused.

We have visited D.M.V. here in Juneau and have discovered, this agency no longer issues titles.

At present, we would like a tangible document that records title transfers for trailers/mobilehomes.

I am in communication with the previous title holder(?) The only piece of paper I have is a "Bill of Sale" (she created) without any verification that its now legally ours.

Signed:

Katherine E Campbell Don Campbell
Testifier

Representing (Optional)

5905 Churchill Way # 54 Juneau AK 99801
Address

(907) 780-4298 (Please Call me)
Phone No.

Phone No.

We are supporting House Bill # 358

Thank You.

BEN MARSH & ASSOCIATES

MEMO

DATE: February 11, 1994

TO: Rep. Brian Porter
FAX: 465-3834

FROM: Ben Marsh, Executive Secretary
Alaska Manufactured Housing Association
FAX: 276-8801

In an attempt to estimate the number of sales or conveyances of mobile homes per year in Alaska, I have conducted a survey among our members. Our members are mobile home court owners and/or mobile home dealers. As a group, we represent about half of the 8000+ mobile homes in Alaska.

Attached hereto is my survey sheet, showing our member courts, with the number of sales or conveyances that occurred in 1993 in circles at each name. The numbers include units sold by the court, units bought by the court, and changes in ownership within the court. Such changes indicate sales between individuals.

The survey sheet shows that 34 members responded and 785 sales were reported. Assuming 1993 was a typical year, and our membership speaks for one-half the units in Alaska, you can estimate the total number of sales per year in Alaska at + 1500.

Another approach is to consider the 8000 units in Alaska. On the average, mobile homes are owned about eight years before re-sale. Thus each year will see about 1000 turn-overs.

Some sales may be duplications. For instance, a dealer's sale may also be shown as a park owner's purchase. However, I believe it safe to say that over 1000 mobile home conveyances occurred in Alaska in 1993.

I hope this will provide a basis for the fiscal note for HB 358. If there is further information I can provide, let me know. Incidentally, the Juneau parks that responded are Thunder Mountain, Glacier View, Kodzoff, Switzer Village, Lemon Creek, Churchill Park, and Sprucewood. Two of these are members of AMHA. The owner of Thunder Mountain and Switzer Village are eager to testify and there may be others.

We have no members in Fairbanks, therefore no Fairbanks sales were reported.

1993 SALES

AHFC (29)
 PO Box 101020
 Anchorage, AK 99510
 561-1900

AK Pacific Venture - Plaza 36 (26)
 405 W 27th Ave
 Anchorage, AK 99503
 563-3993

Alla Vista Traller Court (3)
 1100 W 32nd Ave
 Anchorage, AK 99503
 277-3037

Baxter Road Traller Court (0)
 4235 McLean Place #18
 Anchorage, AK 99504
 337-2622

Beachcrest Mobile Home Court (16)
 11385 N T Highway
 Ketchikan, AK 99901

Churchill Park -Wright Service (10)
 3264 Pioneer Ave
 Juneau, AK 99801

Creekside Estates (0)
 951 E Creekside Dr. #9
 Wasilla, AK 99654
 373-3030

Diamond Estates (50)
 1200 W Diamond Blvd
 Anchorage, AK 99515
 344-6611

Forest Park Traller Park (6)
 4223 Westwood Drive
 Anchorage, AK 99517
 243-4969

Glencaren & Nanook Courts (49)
 2221 Muldoon Road
 Anchorage, AK 99504
 337-9464

Green Acres (1)
 8020 Chipper Tree Circle
 Anchorage, AK 99507
 344-2303

Hawkins Enterprises (47)
 PO Box 140330
 Anchorage, AK 99514
 333-5925

Kathy 'O Estates (7)
 909 Chugach Way #12
 Anchorage, AK 99503
 562-2148

C/O B. Packa Knowlton's Inlet View MHP (0)
 PO Box 770394
 Eagle River, AK 99577
 696-2446

Malaspina Park/Glacier Terrace (46)
 4100 DoBarr
 Anchorage, AK 99504
 333-2012

Manoog's Isle MHP (31)
 PO Box 1563
 Anchorage, AK 99510
 563-3382

Mayflower Circle Park (28)
 6208 Stadem Drive
 Anchorage, AK 99504
 333-6025

McRae Court (0)
 2702 McRae Road #1
 Anchorage, AK 99517
 243-1975

Miller's MHP (2)
 PO Box 91464
 Anchorage, AK 99509
 562-7150

Penguin Traller Court (11)
 1918 Wellington Place
 Wenatchee, WA 98801
 561-5516 (50) 663-2851

Penland MHP See Penland Sales
 3620 Penland Pkwy
 Anchorage, AK 99508
 276-2222

Penland Sales, Inc. (147)
 3620 Penland Pkwy
 Anchorage, AK 99508
 277-7275

Range View MHP (5)
 905 Muldoon Road #A54
 Anchorage, AK 99504
 333-5889

Riviera Terrace MHP (19)
 3307 Boniface Pkwy Sp 9B
 Anchorage, AK 99504
 333-5380

Scenic View Mobile Home Ct (3)
 6747 Double Tree Ct
 Anchorage, AK 99516
 522-3754

Southwood Manor MHP (92)
 9499 Brayton Dr #68
 Anchorage, AK 99507
 344-0111

Thomas Properties (0)
 PO Box 90906
 Anchorage, AK 99509
 561-7578

Thunder Mountain MHP (36)
 8479 Thunder Mtn Road
 Juneau, AK 99801
 789-7555

Top Hand Traller Court (1)
 2409 McRae
 Anchorage, AK 99503
 243-2611

Twin Birch Traller Court (7)
 2920 Tudor Road
 Anchorage, AK 99507
 563-3006

5 additional Parks in Juneau - (114)

LAW OFFICES

DILLON & FINDLEY

A PROFESSIONAL CORPORATION

JUNEAU

Dennis C. Bailey
Caroline Crenna
Paul L. Dillon
Thomas W. Findley
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350 N. Franklin Street
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ANCHORAGE

Ray R. Brown
Mauri Long

1029 W. Third Ave., Suite 220
Anchorage, Alaska 99501
Telephone (907) 277-5400
Facsimile (907) 277-9896

March 28, 1994

Hon. Al Vezey, Chair
House State Affairs Committee
Alaska State Legislature
Room 102, State Capitol
Juneau, Alaska 99801-1182

HAND-DELIVERED

Re: HB 358, certificate of title for mobile home

Dear Representative Vezey:

A couple of weeks ago, you asked for comments on this bill. I said that I would try to find an expert to send you some comments. Well, I have not found one, so here are some top-o'-the-head comments of my own.

Before certain changes were made by ch. 63, SLA 1993, AS 28.10.011(12) exempted mobile homes from the vehicle registration requirements of AS 28.10. Section 79 of ch. 63, SLA 1993 repealed that exemption. However, simultaneously, sec. 63 of the same Act amended the general definition of "vehicle" for Title 28 to exclude mobile homes. (See AS 28.40.100(a)(22).) The legal effect of both approaches appears to be the same with regard to required registration.

But then sec. 57 of that Act amended AS 28.10.201(b) to delete the reference to the repealed AS 28.10.011(12). This deletion from the provision authorizing the department to issue a certificate of title for certain exempt vehicles thus prevents a mobile home owner from obtaining an Alaskan certificate of title.

So, the net effect of last year's amendments appears to be to retain the mobile home exemption from required registration and to remove permissive registration. I was not following that measure last year, and have not researched the reasons for those changes.

Section 1 of HB 358 would require the department to issue a certificate of title for a mobile home if the owner applies for it and pays the fee. No owner is required to obtain such a certificate. It is the owner's choice. I would imagine that an owner might want a certificate of title for purposes of assuring a lending institution of his or her ownership. A title might also prove helpful in case of theft. There are probably other reasons

Rep. Al Vezey
HB 358, mobile home cert. of title
March 28, 1994

Page 2

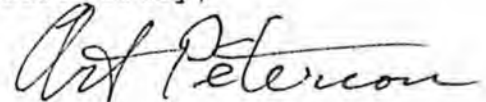
why an owner might want to obtain a certificate of title.

I don't see any particular problem with sec. 1 from an owner's point of view. The department would have the slight additional burden of issuing the certificates to those who applied for them.

Section 2 of HB 358 includes mobile homes in the definition of "vehicle" for the limited purposes of AS 28.10's provisions relating to certificates of title. It thus partially counters last year's AS 28.40.100(a)(22)(B), and is consistent with sec. 1 of the bill.

I have no position on this bill, but merely observe that, in its provision of another option to the public, HB 358 could be beneficial. I hope that you find these comments helpful.

Yours truly,



Arthur H. Peterson

cc: Hon. Brian Porter
Alaska House of Representatives

Hon. Eldon Mulder
Alaska House of Representatives

Alaska State Legislature

Representative Brian S. Porter



CHAIRMAN
HOUSE JUDICIARY COMMITTEE

MEMBER
HOUSE LABOR & COMMERCE COMMITTEE
SELECT COMMITTEE ON LEGISLATIVE ETHICS

MEMBER
FINANCE SUBCOMMITTEES
DEPARTMENT OF LAW
DEPARTMENT OF PUBLIC SAFETY
COURTS

SESSION:
STATE CAPITOL, ROOM 118
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-4930
FAX: (907) 465-3834

INTERIM:
710 W. 4TH AVE., SUITE 040
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8197
FAX: (907) 258-5510

DISTRICT 20

MEMORANDUM

DATE: January 18, 1994

TO: Representative Al Vezey, Chairman
House State Affairs Committee

FROM: Representative Brian Porter *BP*

RE: HB 358

Please consider scheduling HB 358 in your committee at your earliest convenience. The legislation deals with the resumption of the DMV titling mobile homes to facilitate transfer of ownership, financing and public record.

I respectfully request timely consideration with this matter as it would benefit all concerned.

Thank you.

BP:phl

cc: Representative Eldon Mulder

cc: Senator Tim Kelly

HB

363

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 11, 1994

FURTHER REFERRALS:

Finance

Date of Committee Action: 2-15-94

The STATE AFFAIRS Committee considered:

HB 363

HOUSE BILL NO. 363

NO FEE FOR CAR REGISTRATION IN PERSON

"An Act repealing an additional fee for motor vehicle registration not conducted by mail."

RECOMMENDATIONS: | the same title
 be replaced with _____ | 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 Pub SAFETY

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Pete Fott</i>	<input checked="" type="checkbox"/>	<i>Al Vezy</i>		<input checked="" type="checkbox"/>	
		<i>John Blander</i>		<input checked="" type="checkbox"/>	
		<i>Gary L. Duss</i>		<input checked="" type="checkbox"/>	

Al Vezy

 CHAIRMAN'S SIGNATURE

CS FOR HOUSE BILL NO. 363()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES KOTT, B.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to motor vehicle registration fees; and providing
2 for an effective date."

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

4 * Section 1. AS 28.10.421(a) is amended to read:

5 (a) Unless otherwise provided by law,

6 (1) the fees prescribed in this section shall be paid to the department
7 at the times provided under AS 28.10.108 and 28.10.111; and

8 (2) [AN ADDITIONAL FEE OF \$10 SHALL BE ADDED TO] the
9 registration fee set out in this section shall be reduced by \$5 when [FOR] registration
10 is [NOT] conducted by mail [; THE DEPARTMENT MAY WAIVE THIS
11 ADDITIONAL FEE FOR A GOOD CAUSE BASED ON CRITERIA ESTABLISHED
12 IN REGULATIONS ADOPTED BY THE DEPARTMENT].

13 * Sec. 2. AS 28.10.421(b) is amended to read:

14 (b) The annual registration fees under this subsection are imposed within the

1 following classifications for:

2 (1) a passenger vehicle or motor home not used or maintained for the
3 transportation of persons or property for hire or for other commercial use

4 \$40 [\$35];

5 (2) a pick-up truck or a van not exceeding 6,000 pounds unladen
6 weight and not used or maintained for the transportation of persons or property for hire
7 or for other commercial use \$45 [\$40];

8 (3) a taxicab \$75 [\$70];

9 (4) a motor bus with a seating capacity for 20 or more persons and
10 used exclusively for commercial purposes in the transporting of visitors or tourists

11 \$90 [\$85];

12 (5) a motorcycle or a motor-driven cycle \$25 [\$20];

13 (6) a trailer not used or maintained for the transportation of persons
14 or property for hire or for other commercial use, including, but not limited to, a boat
15 trailer, baggage trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer
16 rented or offered for rent \$10 [\$ 5].

17 * Sec. 3. AS 28.10.421(c) is amended to read:

18 (c) The annual registration fees under this subsection are imposed and are
19 based upon the actual unladen weight as established by the manufacturer's advertised
20 weight or upon the actual weight which the owner shall furnish, subject to the approval
21 of the commissioner or the commissioner's representative, for a vehicle, including a
22 motor vehicle pulling a trailer or semi-trailer, that is registered in the name of a
23 company or business, or is used or maintained for the transportation of passengers for
24 hire, excepting taxicabs and buses under (b) of this section, or for the transportation
25 of property for hire or for other commercial purposes, including a trailer, semi-trailer,
26 truck, wrecker, tow car, hearse, ambulance, and tractor, as follows:

27 (1) up to and including 5,000 pounds \$56 [\$51];

28 (2) more than 5,000 pounds to and including 12,000 pounds
29 \$91 [\$86];

30 (3) more than 12,000 pounds to and including 18,000 pounds
31 \$161 [\$156];

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(4) more than 18,000 pounds \$226 [\$221].

* Sec. 4. AS 28.10.421(d) is amended to read:

(d) The special registration fees under this subsection are imposed annually, unless otherwise specified, for:

(1) an historic vehicle (one time only upon initial registration under AS 28.10.181) \$10;

(2) special request plates for

(A) Alaska National Guard personnel \$30;

(B) veterans or retired veterans \$30;

(C) recipients of the Purple Heart \$30;

(D) owners of custom collector vehicles \$50;

(E) other special request plates \$30;

plus the fee required for that vehicle under (b) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;

(3) a vehicle owned by a disabled veteran or other handicapped person, and registered under AS 28.10.181 or a resident 65 years of age or older who files a written application for an exemption on a form prescribed by the department

. none;

(4) a vehicle owned by the state none;

(5) a vehicle owned by an elected state official the fee required for that vehicle under (b) of this section;

(6) [REPEALED

(7)] a vehicle owned by a rancher, farmer, or dairyman and registered under AS 28.10.181 \$40 [\$35];

(7) [(8)] a snowmobile or off-highway vehicle \$10 [\$ 5];

(8) [(9)] an amateur mobile radio station vehicle,

(A) with a transceiver capable of less than 5-band operation . . . the fee required for that vehicle under (b) or (c) of this section;

(B) in recognition of service to the public: a mobile amateur radio station owned by an amateur with general class or higher license,

1 provided the station must be satisfactorily proved capable of operating on at
 2 least five bands from 160 through 10 meters, must have an antenna, and must
 3 have a power supply and wiring as a permanent part of the vehicle; the
 4 transmitting unit may be removed from the car for service or dry storage . . .
 5 none
 6 for a mobile amateur radio station vehicle included in (b)(1) or (2) of this
 7 section;

- 8 (9) [(10)] dealer registration plates,
 9 (A) the initial set of plates \$50 [\$45];
 10 (B) each subsequent set of plates \$30 [\$25];

11 (10) [(11)] a vehicle owned by a municipality or charitable organization
 12 meeting the requirements of AS 28.10.181(e) \$10 [\$ 5];

13 [(12) REPEALED]

14 (11) [(13)] a vehicle owned by a Pearl Harbor survivor or a former
 15 prisoner of war none;

16 (12) [(14) REPEALED]

17 (15)] special request university plates \$50 plus the fee
 18 required for that vehicle under (b)(1) or (2) of this section; the fee required by this
 19 paragraph shall be collected only on the first issuance and on the replacement of
 20 special request plates; the commissioner of administration shall separately account by
 21 university campus designation for the fees received under this paragraph that the
 22 department deposits in the general fund; the annual estimated balance in the accounts
 23 that is in excess of the cost of issuing special request university plates may be
 24 appropriated by the legislature for the support of programs at each campus.

25 * Sec. 5. AS 28.10.431(b)(7) is amended to read:

26 (7) vehicles specified 66 55 44 33 22 17 11 8
 27 in AS 28.10.421(d)(8) [AS 28.10.421(d)(9)]

28 * Sec. 6. AS 28.10.431(h) is amended to read:

29 (h) A vehicle owned by a former prisoner of war exempted from registration
 30 fees under AS 28.10.431(d)(11) [AS 28.10.421(d)(13)] is subject to a motor vehicle
 31 registration tax under this section.

1 * Sec. 7. This Act takes effect July 1, 1994.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSHB 363(STA)

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to motor vehicle regis- BRU: Motor Vehicles
tration fees Component: Field Services
 Sponsor: REPRESENTATIVE KOTT
 Requestor: H. STATE AFFAIRS COMPONENT SERIAL NO. 502

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL						
REVENUE FUND SOURCE:	55.0	55.0	55.0	55.0	55.0	55.0

FUNDING: (Thousands of Dollars)

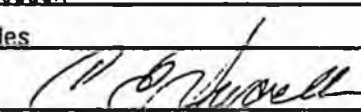
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
See attached.

Prepared By: Charles R. Hosack Phone: 269-5559
 Division: Motor Vehicles Date: 2/15/94
 Approved by Commissioner:  Date: 2/15/94
 Agency: Richard L. Burton, Dept. of Public Safety

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

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Department of Public Safety
Motor Vehicle Registration Fees
Page 2 of 2

This bill raises all annual registration fees by \$5.00 and it provides for a \$5.00 reduction if the registration renewal is conducted by mail. The current \$10.00 fee for registration renewals not conducted by mail is eliminated.

In 1993 the Division processed 114,000 new registrations and 417,000 renewal registrations. Prior to FY 94 only 30% of vehicle owners used the mail to renew their registration and the remainder renewed in person at a DMV office. With implementation of the \$10.00 fee for in person renewals, the use of the mail increased to the point that by the end of the first year, in July 1994, the Division estimates that 60% of the renewals will be conducted by mail. Those 166,000 owners who did not use the mail generated \$1,660,000 in revenue which will be eliminated with this bill.

This revenue will be replaced by raising all registration fees by \$5.00. The total annual number of registrations, 531,000, would then generate \$2,655,000 in additional revenue. This amount would be reduced by \$5 for each renewal conducted by mail. It is assumed that those 30% of owners who used the mail before any fee changes will continue to do so. The original \$10 fee was picked because the Division felt that it was enough of an incentive without being overly burdensome. The \$5 reduction will not be as much of an incentive as the \$10 fee and some owners who used the mail will revert to in person office visits. The Division estimates that with the \$5 fee only 45% of vehicle owners will use the mail. The 45% or 188,000 vehicle owners who use the mail will result in a reduction of \$940,000.

The summary of all these actions is as follows:

Revenue loss of the \$10 fee (166,000 x \$10)	(\$1,660,000)
Revenue gain from \$5 increase (531,000 x \$5)	\$2,655,000
Revenue loss from \$5 reduction (188,000 x \$5)	(\$ 940,000)
NET REVENUE	\$ 55,000

While this bill does show a net revenue gain, it also has the effect of adding 15% of the vehicle owners or almost 80,000 customers to the already long lines at the DMV offices. This erases the efficiency initiative started with the \$10 fee.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

NO: HB 363

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act Repealing an additional fee for BRU: Motor Vehicles
motor vehicle registration not conducted by mail Component: Field Services
 Sponsor: Representative Kott
 Requestor: H. STA COMPONENT SERIAL NO. 502

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL						
CHANGE IN REVENUES ()	(1,600.0)	(1,600.0)	(1,600.0)	(1,600.0)	(1,600.0)	(1,600.0)

FUNDING: (Thousands of Dollars)

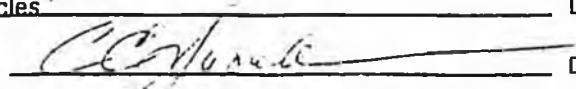
1002 Federal Receipts						
1003 GF Match						
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1006 GF/MHTIA						
Other						
TOTAL						

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 Revenue and source represents loss to the General Fund - see attached.

Prepared By: Charles R. Hosack Phone: 269-5559
 Division: Motor Vehicles Date: 1/12/94
 Approved by Commissioner:  Date: 1/20/94
 Agency: Richard F. Burton, Dept. of Public Safety

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

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This bill repeals the \$10 fee for those vehicle owners who do not use the mail to renew their annual registrations. Approximately 400,000 registrations are renewed annually and since the initial imposition of the fee the percentage of owners using the mail to renew increased from 30% to 60%. The 40%, or 160,000 of the owners who renewed in person at a field office, paid the fee and generated \$1,600,000.00 in additional General Fund revenue. This additional revenue will be lost if this bill passes.

It is assumed that the majority of those who began using the mail just to avoid the fee will revert to in-person office visits. This will add 120,000 more customers to the lines at the already overcrowded field offices. Employees working only with the mail are able to process 3 times as many transactions as those employees who work with the customers in-person. There will be a resultant efficiency decrease as well as the loss of revenue.

BILL NO: HB 363

DATE: January 20, 1994


TITLE: "An Act repealing an additional fee for motor vehicle registration not conducted by mail"

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

HB 363 repeals the \$10 fee for those vehicle owners who do not use the mail to renew their annual registrations. Approximately 400,000 registrations are renewed annually and since the initial imposition of the fee the percentage of owners using the mail to renew increased from 30% to 60%. The 40%, or 1,600,000.00 is additional revenue to the General Fund. This additional revenue will be lost if this bill passes.

It is assumed that the majority of those who began using the mail just to avoid the fee will revert to in-person office visits. This will add 120,000 more customers to the lines at the already overcrowded field offices. Employees working only with the mail are able to process three times as many transactions as those employees who work with the customers in-person. There will be a resultant efficiency decrease as well as the loss of revenue.

The Department is opposed to this bill because it decreases the efficiency of the Division of Motor Vehicles and results in longer lines at the field offices. There will be higher operational costs and loss of revenue to the state.


Richard L. Burton
Commissioner

FEB 25 1994

POSITION PAPER - Department of Public Safety

BILL NO: CS HB 363(STA)

DATE:

February 24, 1994

TITLE: "An act relating to motor
vehicle registration fees

CONTACT:

C.E. Swackhammer
Deputy Commissioner
465-4322

This bill raises all annual registration fees by \$5.00 and it provides for a \$5.00 reduction if the registration renewal is conducted by mail. The current \$10.00 fee for registration renewals not conducted by mail is eliminated.

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This revenue will be replaced by raising all registration fees by \$5.00. The total annual number of registrations, 531,000, would generate \$2,655,000 in additional general fund revenue. This amount would be reduced by \$5.00 for each renewal registration conducted by mail. It is assumed that the 30% of the owners who used the mail before any fee changes will continue to do so. The original \$10.00 fee was picked because the Division felt that it was enough of an incentive without being overly burdensome. The \$5.00 reduction will not be as much of an incentive as the \$10.00 and some owners who used the mail will revert to in person office visits. The Division estimates that with the \$5.00 fee only 45% of vehicle owners will use the mail. The 45% or 188,000 vehicle owners who use the mail will result in a reduction of \$940,000.

While this bill does show a net revenue gain, it also has the effect of adding 15% of the vehicle owners or almost 80,000 customers to the already long lines at the DMV offices.

The Department of Public Safety is neutral on this bill.



Richard L. Burton,
Commissioner

Alaska State Legislature
House of Representatives

COMMITTEES:
HEALTH, EDUCATION
& SOCIAL SERVICES
JUDICIARY
STATE AFFAIRS

SPECIAL COMMITTEES:
MILITARY & VETERANS AFFAIRS
OIL & GAS



INTERIM:
EAGLE CENTER, SUITE 141
EAGLE RIVER, AK 99577
PHONE (907) 694-8944
FAX 694-8945


SESSION:
STATE CAPITOL
JUNEAU, AK 99811
PHONE (907) 465-3777

Representative Pete Kott

MEMORANDUM

DATE: January 24, 1994

TO: Rep. Al Vezey
Chairman, House State Affairs Committee

FROM:  Rep. Pete Kott

RE: Request for hearing
HB 363, NO FEE FOR VEHICLE REGISTRATION IN PERSON

Please schedule HB 363 for a hearing before the State Affairs Committee as soon as possible.

HB 363 would repeal the motor vehicle registration fee for walk-in customers imposed by an Act of this legislature in 1993. Certainly, the fee adjustment included in that Act was overdue because vehicle registration fees had not been increased since 1978. The particular method chosen to provide the increase was, however, inappropriate. It has imposed a hardship on those who, for whatever reason, prefer to conduct their business with the state in person.

Full and unhindered access to state government is an important element of a free society. An individual who desires to conduct business with the state in a face-to-face meeting rather than through the mail should not be penalized for that decision. The current fee structure for vehicle registration renewal imposes such a penalty. HB 363 would repeal the \$10 fee for renewing a vehicle registration in person.

The following items are attached:

Sponsor statement
Fiscal note from the Department of Public Safety
Position Paper from the Department of Public Safety
Background information

If you have any questions about this bill, please call me or my Legislative Assistant, Jack Phelps, at 465-3777.



Alaska State Legislature
House of Representatives

COMMITTEES:
HEALTH, EDUCATION
& SOCIAL SERVICES
JUDICIARY
STATE AFFAIRS

SPECIAL COMMITTEES:
MILITARY & VETERANS AFFAIRS
OIL & GAS



HOME:
9843 CHICHAGOF LOOP
EAGLE RIVER, AK 99577
PHONE (907) 694-7943

DURING SESSION:
STATE CAPITOL
JUNEAU, AK 99811
PHONE (907) 465-3777

Representative Pete Kott
SPONSOR STATEMENT

HB 363 – VEHICLE REGISTRATION FEES

Full and unhindered access to state government is an important element of a free society. An individual who desires to conduct business with the state in a face-to-face meeting rather than through the mail should not be penalized for that decision. The current fee structure for vehicle registration renewal imposes such a penalty.

HB 363 would repeal the motor vehicle registration fee for walk-in customers imposed by an Act of this legislature in 1993. Certainly, the fee adjustment included in that Act was overdue because vehicle registration fees had not been increased since 1978. The particular method chosen to provide the increase was, however, inappropriate. It has imposed a hardship on those who, for whatever reason, prefer to conduct their business with the state in person.

While the fee has increased DMV's revenue stream, it is seriously to be questioned whether imposing a \$10 fee on walk-in customers has improved the efficiency of operations at DMV offices.

HB 363 will help restore the people's confidence that they are not to be penalized for doing business with the state in person. I urge immediate passage of this measure.



FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: HB 363

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act Repealing an additional fee for BRU: Motor Vehicles
motor vehicle registration not conducted by mail Component: Field Services
 Sponsor: Representative Kott
 Requestor: H. STA COMPONENT SERIAL NO. 502

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL						
CHANGE IN REVENUES ()	(1,600.0)	(1,600.0)	(1,600.0)	(1,600.0)	(1,600.0)	(1,600.0)

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
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1006 GF/MHTIA						
Other						
TOTAL						

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 Revenue and source represents loss to the General Fund - see attached.

Prepared By: Charles B. Hosack Phone: 269-5559
 Division: Motor Vehicles Date: 1/12/94
 Approved by Commissioner: *Richard L. Burton* Date: 1/20/94
 Agency: Richard L. Burton, Dept. of Public Safety

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

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465-4322

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The Department is opposed to this bill because it decreases the efficiency of the Division of Motor Vehicles and results in longer lines at the field offices. There will be higher operational costs and loss of revenue to the state.


Richard L. Burton
Commissioner

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

*P.O. BOX 20020
JUNEAU, ALASKA 99802-0020*

*PHONE:
(907) 269-5559*

January 13, 1994

The Honorable Terry Martin
Alaska State Legislature
State Capitol
Juneau, Alaska 99811

Dear Representative Martin:

Several questions came up in the Legislative Budget & Audit meeting yesterday that I wanted to make sure you have the answer to should they be addressed again.

1. What was the effect of the loss of seasonal positions at the end of FY 93?

With seasonal positions layed off at the end of June waiting times for public service in most DMV offices exceeded 2 hours at peak times. Appointments for road tests were 6-8 weeks in advance. In Anchorage, where road tests were given on a first come first served basis in the mornings without appointment, competition was so keen for those few slots that DMV personnel were unable to handle the unruly opening crowds and police were called on several occasions. As a result, the Anchorage office was placed on an appointment only basis for road tests. Consider these effects when absence of the seasonals was not even during our busiest months. During April, May, and June of this year waiting times are expected to exceed 3 hours, with waits for road tests in excess of 8 weeks.

2. Did the imposition of the \$10 fee for not using the mails have any effect?

The \$10 incentive to use the mail for vehicle registration renewal has had a dramatic effect. Usage has gone from an average of 30% to 56%, and will probably peak in the 60's. This has certainly reduced the number of customers in DMV offices. However, there has been no reduction in the amount of work. The same amount of processing goes into a renewal whether it is received in the mail or whether the person is standing before a DMV representative. The time saved by not exchanging pleasantries in a face to face setting is offset by the

Dulany/Martin
January 13, 1994

Page 2

additional time in handling the mail. And since no new employees were authorized to process the increased mail the additional workload of the mail-out unit created a reduction in the number of counter personnel available to help customers at the public service counter.

3. Will a 2 year registration have any effect on the DMV workload?

Absolutely. But not to the extent of cutting the work by 50%. Vehicle registration renewals are the least time consuming of all the Division's transactions. They comprise about 20% of the total DMV workload. If the number of renewals is halved by a 2 year registration cycle, then the DMV workload is reduced by one-half of 20%, or a 10% reduction. For a 3 hour waiting period this equates to shaving off 18 minutes. Nevertheless, every little efficiency helps.

The Division is planning efficiency initiatives that will help to see us into the next century. I hope to be able to discuss some of these with you during the next few weeks.

Sincerely,

Juanita M. Lewis for
Jay N. Dulany
Director

January 7, 1994

RECEIVED
JAN 12 1994
LIEUTENANT GOVERNOR'S OFFICE

Office Of The Lieutenant Governor
John B. "Jack" Coghill, Lieutenant Governor
Third Floor, State Capitol
P O Box 110015, Juneau 99811

Dear Lieutenat Governor Coghill:

Perhaps you can tell me why I am being penalized for paying my bills in person. I refer to the \$10.00 fee required when registering a vehicle in person at the DMV in Fairbanks. The DMV prefers that the registration be mailed to Juneau. Since I pay all my bills in cash and have no checking account this means that I now have to purchase a money order or bank check to register my vehicle or pay the additional \$10.00 for over the counter registration. In the past I could take time off from work to schedule an I/M test then go to DMV and register. Now I have to take time off from work for the I/M test and then go to a bank to buy the money order then buy postage for the letter to Juneau.

When did it become a problem for the employees in Fairbanks to do the job they were hired for so that they must be paid an additional \$10.00 to do it? This, along with the I/M test, which on brand new vehicles is another dandy idea that costs tax payers extra money for nothing, is another fine example of how our state government is protecting the rights of the individuals.

On a new vehicle the manufacturer has to comply with federal regulations so I suggest that the dealer selling the vehicle should be required to provide the I/M free of charge for the duration of that vehicle's warrantee. If an individual tampers with the emission system it automatically voids the warrantee and the dealer then no longer provides a certificate and the perpetrator is liable for prosecution. After the vehicle warrantee expires then annual I/M test would be reasonable. The current system of requiring annual I/M tests on all new vehicles is one more case of common sense missing from government.

Just who does the government represent in Alaska? I am writing to you because I believe that you actually care about the welfare of Alaska and Alaskans. With a few exceptions the quality of government in Alaska and the United States is in a sorry condition. Where has all the common sense gone?

Sincerely,

Ken Lohr
740 Goldvein Rd
Fairbanks AK 99712

Ken Lohr



Alaska State Legislature

Please enter into the record my testimony to the House State Affairs
committee name
committee on Bill # 363 & # 328, dated 1-8-94
bill/subject

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in my testimony because I testified for the
last House Bill #363. I feel it was handled
in a hurried manner and people weren't made
to feel welcome to speak. I hope faxing these
will get them more and serious attention.

Signed: JAN HILL
Testifier
THE OFFICE
Representing (Optional)
PO Box 30, PETERSBURG AK 99833
Address
(907) 772-4264
Phone No.

The OFFICE

CONCERNING HOUSE BILL #328

FEB. 3, 1994

AS A SMALL BUSINESS, I DON'T FEEL THAT THE BIENNIAL REGISTRATION WOULD HARM OUR BUSINESS. HOWEVER, BECAUSE THE \$10.00 SURCHARGE IS ALSO MENTIONED IN THE BILL, PLEASE READ THE FOLLOWING.....

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WE'RE ALSO CONCERNED ABOUT THE PUBLIC'S INCONVENIENCE HAVING TO PAY FOR MONEY ORDERS, IF THEY DON'T HAVE A BANK ACCOUNT. OR FISHERMEN THAT AREN'T IN TOWN WHEN THE RENEWAL COMES IN THE MAIL AND THEY HAVE NO CHOICE BUT TO BE PENALIZED BY COMING INTO OUR OFFICE.

WE ALSO SERVE PEOPLE FROM WRANGELL AND KAKE WHO THINK THEY'RE DOING THE RIGHT THING BY SENDING THE REGISTRATION THROUGH THE MAIL, TO US. WE HAVE TO TURN AROUND AND SEND IT BACK TO THEM SAYING THAT THEY NEED TO SEND IT TO ANCHORAGE OR SEND US MORE MONEY. BY THAT TIME IT'S TOO LATE TO SEND IT TO ANCHORAGE SO THEY, AGAIN, HAVE NO CHOICE BUT TO GO THROUGH OUR OFFICE.

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WE'RE IN BUSINESS TO SERVE THE PUBLIC AND THE STATE IS NOW SAYING THAT WE HAVE TO CHARGE MORE MONEY FOR THAT. I DON'T THINK THAT'S FAIR.

THANK-YOU

Jan Hill
JAN HILL

The OFFICE

CONCERNING HOUSE BILL #363

FEB. 7, 1994

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Alaska State Legislature

FEB 10 1994

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Signed: JAN Hill

Testifier

THE OFFICE

Representing (Optional)

PO Box 30 PETERSBURG AK 99833

Address

(907) 772-4264

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The OFFICE

CONCERNING HOUSE BILL #328

FEB. 3, 1994

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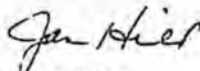
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THANK-YOU


JAN HILL



TELECOPY COVER SHEET

Delta Junction Legislative Information Office
Office - (907) 895-4236 Fax - (907) 895-5017

TO: House State Affairs Committee CITY: Juneau

ATTN: _____ FAX: 465-2864 PHONE: _____

FROM: Constituents PHONE: _____

INSTRUCTIONS: _____

SENT: Date 2/15/94 Time _____

NUMBER OF PAGES: ? (NOT counting cover sheet)

TRANSMITTED BY: _____



Alaska State Legislature

Please enter into the record my testimony to the HOUSE STATE AFFAIRS
committee name

committee on HB 363, dated 2-18-94
bill/subject

I WOULD LIKE TO GO ON RECORD AS FAVORING THIS BILL. I FEEL IT IS WRONG TO PUNISH PEOPLE WHO CAN SAVE GAS, MONEY, & TIME BY PAYING THEIR CAR REGISTRATION IN PERSON. IN LITTLE TOWNS LIKE DELTA IT IS EASY TO PAY IN PERSON. I DO NOT HAVE A VEHICLE AT THIS TIME, BUT PLAN TO GET ONE IN THE FUTURE. IT WOULD SAVE A LOT OF TIME IF I COULD REGISTER MY VEHICLE LOCALLY. IF I WOUND UP WITH A VEHICLE WITH REGISTRATION ABOUT TO EXPIRE, I COULD WEND UP PAYING A FEE FOR DRIVING WITH EXPIRED TAGS WHILE WAITING FOR MY TAGS TO ARRIVE IN THE MAIL.

Signed: Cherylene Walker
Testifier

Representing (Optional)

HC 62 BOX 5360 DELTA JUNCTION, AK 99737
Address

895-1024
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the House State Affairs
committee name
committee on HB 363, dated 2/15/94
bill/subject

I Would Like To Go On Record As Being In Favor Of
HB 363, I Can Understand Wanting To Shorten Lines
AT The DMV But In Small Towns Like Delta Junction
We Don't Have That Problem. I Don't Think It's Fair
To Charge Me Extra Just Because I Pay My Fees In
Person.

Signed: Tim Well
Testifier

Representing (Optional)

HC 62 Box 5360 Delta Jct. AK. 99737

Address

895-1024

Phone No.



HOUSE STATE AFFAIRS COMMITTEE

DATE: FEBRUARY 15, 1994

PLACE: Capitol, Room 102

SUBJECT OF MEETING:
 HB-368 Reapplication Period for 1993 Dividend
 HB-363 No Fee for Car Registration in Person
 HB-406 No Municipal Sales Taxes on Air Carriers
 SB-128 Legislative Audits

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Juanita Hensley	DPS/DMV	PO Box 20020	99502		2650	<i>Question</i> Y	N	HB 363
Reed Steaps						Y	N	HB 406
Vern Williams	DCR/ ^{TFD} Division				x2323	Y	N	HB 368
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

STATE OF ALASKA
THE LEGISLATURE



LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

FEB 17 1994

Legislative Information Office
P.O. Box 1189
Delta Jct., AK 99737
(907) 895-4236

DATE: February 15, 1994

Please accept the enclosed original(s) of written testimony for
the House State Affairs teleconference hearing that was
scheduled on 2/15/94 on HB 363.

A copy of this testimony was transmitted to your committee via fax
on 2/15/94.

Thank you,

E. A. Sarver
Elizabeth A. Sarver
Information Officer

Enclosures: 2



Alaska State Legislature

FEB 17 1994

Please enter into the record my testimony to the House State Affairs
committee name

committee on HB 363, dated 2/15/94
bill/subject

I would like to go on record as being in favor of HB 363. I can understand wanting to shorten lines at the DMV but in small towns like Delta Junction we don't have that problem. I don't think it's fair to charge me extra just because I pay my fees in person.

Signed: Tim Welch
Testifier

Representing (Optional)
HC 62 Box 5360 Delta Jct. AK. 99737
Address

895-1024
Phone No.



FEB 17 1994

Alaska State Legislature

Please enter into the record my testimony to the HOUSE STATE AFFAIRS
committee name

committee on HB 303, dated 2-15-94
bill/subject

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Signed: Chapman Walker
Testifier

Representing (Optional)

HC 62 BOX 5360 DELTA JUNCTION, AK 99737
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JAN HILL

Testifier

THE OFFICE

Representing (Optional)

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The OFFICE

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