

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8690 HOUSE LABOR & COMMERCE

1 from a state or federal law regarding unfair business practices or anticompetitive activity.

# Alaska State Legislature

REPRESENTATIVE  
GENE THERRIAULT  
P.O. Box 55326  
North Pole, Alaska 99705  
(907) 488-0862



Write in Juneau  
State Capitol  
Juneau, Alaska  
99801-1182  
(907) 465-4797

House District 33

## House Of Representatives

**House Bill 501:** "An Act requiring competition in local exchange telephone service."

**Sponsor:** Representative Gene Therriault 

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### Sponsor Statement

This legislation promotes competition in the market for local exchange telephone service. It is intended to increase the choices available and reduce the cost to customers. The bill would authorize competition for local exchange telephone service and encourage the Public Utilities Commission to implement a fully competitive telecommunications marketplace statewide. The resulting technological advances, reduced costs and increased choices would in turn enhance the state's economic development.

The legislation would allow Alaska to take advantage of the newly enacted federal overhaul of the 1934 Communications Act, which was signed into law February 8, 1996. The Telecommunications Act establishes competition in all telecommunications markets as a national policy. In its report the Conference Committee stated that the bill "provides for a pro-competitive, de-regulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition. . ."

Under this act all barriers to competition in all market segments are to be automatically removed except in the most rural areas of the United States. Under the act, telephone companies serving less than two percent of the telephone lines nationwide may petition their state public utilities commission for an exemption from the duty to interconnect with competitive companies if the incumbent telephone company can show interconnection is not in the public interest and it is technologically infeasible or economically burdensome.

For the rest of the nation, this provision could mean very small pockets in a state or throughout the country may be granted an exemption from

competition in the local telecommunication's market. For Alaska, it could mean the entire state could be exempted from competition. This proposed legislation establishes the policy that competition in the local telephone market in Alaska is in the public interest, consistent with the rest of the country. The Alaska Public Utilities Commission may still grant exemptions from interconnection if it is not technically feasible, or if it is unduly economically burdensome.

Establishing this policy guideline is clearly within the legislature's purview, and will eliminate needless proceedings before the Alaska Public Utilities Commission trying to determine whether or not competition is in the public interest in Alaska. It will allow the Public Utilities Commission to get on with the business of establishing regulations for this new world of competition, and let Alaska get on with being part of the modern telecommunications world.

## Sectional Analysis

House Bill 501, "An Act authorizing competition in local exchange telephone service."

Section 1 AS 42.05.750 Findings.

AS 42.05.760 States that the Public Utilities Commission shall provide for competition in local exchange telephone service in a timely manner and shall adopt regulations that eliminate impediments to entry for local exchange carriers fit, willing and able to provide service.

**HB**

**502**

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. HB 502

Revision Date: \_\_\_\_\_  
Title: An Act relating to the auctioning of real estate.

Department: Commerce and Economic Development  
BRU: Occupational Licensing  
Component: Operations

Sponsor: Representatives G. Davis, and Navarre  
Requestor: Representative G. Davis

COMPONENT SERIAL NO. 1844

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other 1091 Designated PR						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 96) cost: \$ 0.0

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)  
 HB 502 authorizes unlicensed individuals to conduct an auction of real estate provided the individuals complete an auctioneering program and the auction is conducted under the supervision of a real estate broker or associate real estate broker. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Administrative Officer  
 Division: Occupational Licensing  
 Approved by Commissioner: William L. Hensley  
 Agency: Commerce and Economic Development

Phone: 465-2144  
 Date: February 22, 1996  
 Date: 2-22-96

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Blakeley's Auction Company  
P.O. Box 537  
Soldotna, Alaska 99669  
(907) 262-6100

March 11, 1996

Representative Gary Davis  
FAX: (907) 465-3835

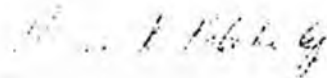
Reference: HB502

Dear Representative Davis:

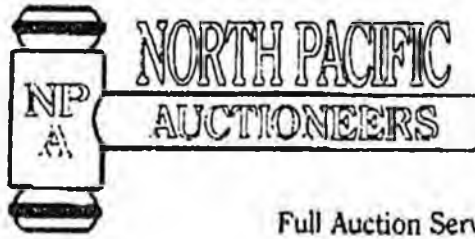
I am writing this letter in support of the above referenced House Bill. As an auctioneer in the community for the past fifteen years, in order to settle estates in an expedient manner, I have had occasion to be involved in auctioning land. The draw-back has been, of course that I have no real estate license. The way the bill is written, as I understand it, would require that a real estate broker be involved in the auction process along with the auctioneer. This involvement, I feel would irradiate the worries of the Real Estate Commission that have been voiced to me in the past.

In fairness to auctioneers who are willing to work with the real estate people, I urge that this bill be passed. We should not be penalized because we do not carry real estate licenses.

Sincerely,



Norman R. Blakeley  
Auctioneer



Full Auction Services ★ On-Site Auctions ★ Estates/Liquidations

Dear Gary Davis:

I want you to know how pleased my Wife and I are to hear of a bill that would allow auctioneers to sell the real estate along with the personal property and chattel at public auction with the aid of a broker.

As President of North Pacific Auctioneers Ltd. my wife Marie, who is an active auctioneer, and I are charter members of the Alaska Auctioneers Association which I am sad to say is an organization in name only at this time since no meetings have been held in over 3 years.

But, we do travel and know many auctioneers in other states. In many states it is common practice for an auctioneer in conjunction with a probate lawyer or real estate broker to sell the property of a deceased person at public sale along with the personal property and chattel. This arrangement is beneficial for all parties involved since the property has a definite sale date which is advertised for several weeks in advance so suitable financing can be arranged and it also prevents a lengthy probate period thus preventing the erosion of the value of the estate.

Also, almost every state that allows this practice also has an auctioneer license law in effect. Rep. Norm Roakburg has such a proposed bill that he and I were working on. I feel that each bill should be considered separately so that the passage of one would help the other next year if one should fail. However the concept and idea that both Bills bring up need to be addressed and passed to help the people of Alaska.

I support both Bills and urge the House and Senate to pass both bills and the Governor to sign them.

Sincerely,

CHARLES E. BROBST  
PRESIDENT  
NORTH PACIFIC AUCTIONEERS Ltd.

# Alaska State Legislature

Interim:

145 Main Street Loop #223  
Kenai, Alaska 99611  
(907) 283-7095  
(907) 283-3075 (fax)  
(907) 262-7574 (h)



Session:

State Capitol  
Juneau, Alaska 99801  
(907) 465-2693  
(fax) (907) 465-3835

Representative Gary L. Davis

## SPONSOR STATEMENT

### HB 502

"An Act relating to the auctioneering of real estate."

Under Alaska statute 08.88, a professional, licensed auctioneer cannot auction real estate unless he/she is also a licensed real estate broker. The justification for this law is that an auctioneer may not have the qualifications pertinent to the sale of real estate. This is understandable but unnecessary. Requiring an auctioneer to be licensed in two separate professions, or to require a broker to be an auctioneer, is another case of excessive and intrusive bureaucracy.

Therefore, HB 502 has been introduced to facilitate the sale of real estate in a responsible, common sense manner. The language of this bill is meant to allow a real estate auction to be performed by an auctioneer who has developed specific qualifications. If a person has completed a certified program in auctioneering, which includes a course in real estate sales, then that person can auction real estate as long as a licensed real estate broker is present to supervise. This way, experts in both fields of auctioneering and real estate will be present to conduct their specified duties without inflicting an unnecessary hardship on the auctioneer.

I believe that HB 502 is an uncontroversial, positive bill that will facilitate the sales of real estate and assist the auctioneering profession.

Representing House District 8

Soldotna, Sterling, Funny River, Cooper Landing, Hope, Moose Pass, Seward

# Alaska State Legislature

Interim:

145 Main Street Loop #223

Kenai, Alaska 99611

(907) 283-7095

(907) 283-3075 (fax)

(907) 262-7574 (h)



Session:

State Capitol

Juneau, Alaska 99801

(907) 465-2693

(fax) (907) 465-3835

Representative Gary L. Davis

## SECTIONAL ANALYSIS OF HB 502 A BILL FOR AN ACT ENTITLED

"An Act relating to the auctioning of real estate."

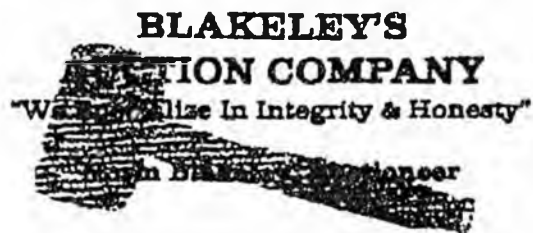
**Section 1** is an amendment to AS 08.88 altering the qualifications necessary for an auctioneer to auction real estate. Under sub-section 1, a person needs to complete a certified course in auctioneering, which includes a course in real estate sales, before he/she can conduct an auction for real estate. Sub-section 2 mandates that a licensed real estate broker must be present while an auctioneer is auctioning real estate.

**Section 2** reiterates existing AS 08.88.251 and it adds an exception to include unlicensed persons defined in Section 1.

**Section 3** describes the already existing exceptions for AS 08.88.900. The only change is in subsection 9 where it states that unlicensed persons described in section 1 are allowed to conduct real estate sales.

Representing House District 8

Soldotna, Sterling, Funny River, Cooper Landing, Hope, Moose Pass, Seward



P.O. Box 537

Soldotna, Alaska 99669

(907)262-6100

DATE: JULY 8, 1993  
TO: WHOM IT MAY CONCERN  
FROM: NORM BLAKELY  
SUBJECT: LICENSE REQUIREMENTS

In a recent conversation with Ron Johnson, a Real Estate Broker, I was asked why I didn't get my Real Estate License so I could perform Real Estate Auctions. I explained that a few months ago, I had talked with Grace Oakley of the Real Estate Commission and conveyed to her that as an auctioneer that I had been contacted by a party trying to settle an estate with a subdivision involved and wanted to have a auction so it could be settled ASAP. In our conversation, she explained that in order to sell any type of Real Estate in any manner you needed to be licensed by the State of Alaska. I explained I didn't want to be a Real Estate sales person but wanted to auction and have a service to offer. She continued to explain that the law was set up to protect the seller misrepresenting or making mistakes that persona not involved in Real Estate could and might make. I agree with her statement.

I asked Grace if the auction was done through a Broker and Auctioneer that had attended a certified Auction School, part of school pertaining to Real Estate sales and other criteria, if that would address everyone's concerns and resolve the problems. At this time I felt she became somewhat exasperated with me and my lack of understanding of the situation and explained that was the law, if I wanted it changed to do something.

I feel that with a broker involved, criteria set up by the Board as to the schooling you need, letters of references, years in business and amount of sales; this could be achieved for the good of everyone and fulfill a service that is needed.

Auctioning is like any profession, in order to receive the maximum benefit you must know and understand what you are doing. To have a novice auctioneer sell Real Property just because they have a Real Estate License is as foolish as having a auctioneer sell Real Estate without the help of a Broker. I believe this is the situation at this time. As long as you have a Real Estate License, you can sell in any manner, so this leaves you without a



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professional atmosphere as far as the auction goes. Setting up a criteria, perhaps would take care of all problems. In conclusion, I would hope you would address this situation in this meeting. If I can be of any help please feel free to contact me at any time.

Thank you for your time and consideration

Sincerely,

A handwritten signature in cursive script that reads "Norm Blakeley". The signature is written in dark ink and is positioned above the typed name.

Norm Blakeley



# Alaska Real Estate News

Published by the Alaska Real Estate Commission

Steve Cowper  
Governor

J. Anthony Smith  
Commissioner

Randall P. Burns  
Director

Volume I

January 1988

Number 2

## RENEWAL RUNDOWN

It's that time again!

Your license must be renewed by January 31, 1988. You should have already received your renewal notice. If you're unsure exactly what to do next, here are the questions we have answered most often.

**Q:** I have my license on inactive status. Do I still have to send in my renewal?

**A:** YES! You may keep your license on inactive status for three years without having to retake or reinstate, but only if you renew at each biennial renewal.

**Q:** How much will it cost me to renew my inactive license, remaining inactive?

**A:** You must pay the \$125 license fee, but do not have to pay the \$80 surty for until you activate your license.

**Q:** My license is inactive. Do I have to affiliate with a broker in order to renew?

**A:** No, you do not need an employing broker until you want to activate your license.

**Q:** I called and checked on my license and somebody told me it had lapsed. What does that mean?

**A:** A lapsed license means that you did not renew your license as required during the last renewal, and that it is no longer in force. You may apply to reinstate your license, provided it has been lapsed for less than two years, by filing the form for that purpose and paying a \$25 fee in addition to your outstanding license fees.

Continued on page 2

## Commission Actions by Tracey Oakley Executive Secretary

**Branch Offices, Auctions, Resident Managers, Trust Accounts** for licensee-owned rental property. The common denominator for these four issues is that they all appeared on the agenda of the December 3-4 meeting of the Real Estate Commission.

Policy decisions generated from the discussions include some changes and some reaffirmations. Item by item, here is the most current Commission position.

### AUCTIONS

**Issue:** Is an Alaska real estate license required? If so, who must be licensed? The crier? The ringman? The clerk? The announcer?

The answer is a unanimous "Yes, everybody involved at a real estate auction needs to be licensed."

AS 08.88.161 (1) & (5) clearly authorizes that position for any auctioning of real estate. The Commission further stated that whether the auctioneering is donated for charity or done for a fee, the liability for a real estate transaction remains. Therefore, the requirement for holding a real estate license is valid any time real estate is auctioned.

This policy reverses the position previously approved by staff to allow auctioneering specialists licensed in another state to operate on a co-brokerage basis in Alaska.

The need for the cashier or clerk to be licensed may be tempered by the actual activity; e.g. does he/she merely accept money and issue a receipt or does he prepare the written contract according to the terms of the auction? A task force is to meet and recommend guidelines for this and any other possible exceptions at the March Commission meeting. Until then, everyone working the auction needs to be licensed.

### BRANCH OFFICES

**The Issue:** At what point does a project office become a branch office, requiring a designated associate broker in charge and a separate office registration with the Commission?

If viewed as a continuum of activity ranging from one to four as outlined here, one and two do not require separate registration. Three and four do.

1. A simple one day open house TO
2. A daily open house associated with a single project such as a condo development, or a model home in a tract of spec houses in a subdivision TO
3. A location, identified by company name and away from the main office where licensees regularly make contacts with both buyers and sellers to generate real estate transactions which may or may not be associated with the particular office site TO
4. A designated branch office which may have its own trust accounts and records of transactions under the umbrella of a single broker's multi-office operation.

Continued on page 4

### In this issue:

• Licensee Liability

• T.A. Lands:  
What they mean to Alaska

• A Complaint is Filed.  
Now what?

• Disbursement  
of Trust Funds

**НВ**

**510**

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. HB 510

Revision Date: \_\_\_\_\_ Department: Commerce and Economic Development  
 Title: An Act relating to occupational licensing fees and BRU: Occupational Licensing  
regulatory costs for occupational licensing functions;.... Component: Operations  
 Sponsor: Representative Davies  
 Requestor: Representative Davies COMPONENT SERIAL NO. 1844

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other 1091 Designated PR						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 96) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

HB 510 amends the occupational licensing fee setting statute, AS 08.01.065(c), by requiring all occupations to pay a prorated share of the total enforcement costs based on the number of licensees within the occupation. This change will not require new funds to implement.

Prepared by: Jennifer Strickler, Administrative Officer  
 Division: Occupational Licensing  
 Approved by Commissioner: William L. Hensley  
 Agency: Commerce and Economic Development

Phone: 465-2144  
 Date: March 13, 1996  
 Date: \_\_\_\_\_

Department of Commerce Economic Development  
Division of Occupational Licensing

					FY 95	
PROGRAM	FY 93	FY 94	FY 95	FY 96	No. of	
USER FEE	FEE	FEE	FEE	FEE	Licenses	COMMENTS
<b>ACUPUNCTURE</b>					20	Fees Adjusted 9/11/94
Application	30	50	150			
Acupuncturists	400	180	385			
<b>AELS</b>					5,094	Fees Adjusted 11/95
Application Fee	30	50		50		
Exam Review	50	50		75		
Comity Review	130	100		100		
Corporate Authorization	400	400		200		
<b>ENGINEERS Registration</b>	100	150		120		
EIT Exam	50	50		55		
PE Exam	100	100		105		
<b>LAND SURVEYORS Regis.</b>	100	150		120		
LSIT Exam	50	50		55		
PLS Exam	40/50	50		55		
AKLS Exam	35	75		100		
<b>ARCHITECTS Registration</b>	100	150		120		
Div A Exam	40	45		50		
Div BW Exam	25	45		50		
Div B/G Exam	60	70		75		
Div C Exam	90	100		105		
Div D/F Exam	35	45		50		
Div E Exam	20	45		50		
Div G Exam	40	45		50		
Div H Exam	40	45		50		
Div I Exam	40	45		50		
<b>ATHLETIC COMM.</b>					106	Fees set in statutes;
Club Boxers	10	10	10			should be increased.
Boxer	10	10	10			(FY 97 Proposes to
Referee	10	10	10			eliminate the program

Department of Commerce Economic Development  
Division of Occupational Licensing

PROGRAM	FY 93	FY 94	FY 95	FY 96	FY 95	
USER FEE	FEE	FEE	FEE	FEE	No. of	COMMENTS
					Licensees	
Promoters	100	100	100			<i>by legislation.)</i>
Wrestlers	10	10	10			
Physicians	10	10	10			
Managers	50	50	50			
Trainers	10	10	10			
<b>AUDIO/HAD</b>					<b>58</b>	<b>Fees Adjusted 9/11/94</b>
Application	50		150			
Audio/HAD	180		190			
Temporary License	50		100			
<b>BARBERS &amp; HD</b>					<b>3,698</b>	<b>Fees Adjusted 5/95</b>
Application	30	50		50		
Hairdresser	100	150		75		
Barber	100	150		75		
Cosmetology	30	80		50		
Instructor	30	100		75		
Shop Owner	60	100		50		
School	700/200	700/250		250		
Temporary Permits	20	50		50		
Student Permits	20	50		50		
Written Exam	25	50		20		
Practical Exam	25	50		35		
School Owner	60	100		0		
<b>BUSINESS LICENSING</b>					<b>67,289</b>	
Application/License	50	50	50	50		<i>FY 97 Fee Increase must be addressed by Legislation.</i>
<b>CHIROPRACTORS</b>					<b>176</b>	
Application	30	50	150			<b>Fees Adjusted 10/29/94</b>
Chiropractor	100	300	305			
Credentials Review	50	50	50			
Temporary Permit	20	50	75			

Department of Commerce Economic Development  
Division of Occupational Licensing

					FY 95	
PROGRAM	FY 93	FY 94	FY 95	FY 96	No. of	
USER FEE	FEE	FEE	FEE	FEE	Licensees	COMMENTS
Examination Fee	50	50	100			
<b>COLLECTION AGCY</b>					<b>145</b>	<b>Fees Adjusted 5/28/93</b>
Application	30	50		50 *		
Agency	100	200		80 *		
Branch Office	20	50		50 *		
Operator	100	200		80 *		
Non-Residents (Double amount)						
<b>CONCERT PROM.</b>					<b>12</b>	<b>Fees Adjusted 10/29/94</b>
Application	30	50	215			
Concert Promoter	60	250	375			
<b>CONST. CONTRACT.</b>					<b>4,222</b>	<b>Fees Adjusted 10/29/94</b>
Application	30	50	55	55		
General	180	205	225	225		
Residential Endors.	120	120	55	55		
Specialty	180	205	225	225		
Mechanical	180	205	225	225		
Change in Specialties	20	20	25	25		
Name Change	20	50	50	50		
Bonding Research	5	5	5	5		
Residential Exam	0	0	75	75		
<b>DENTAL</b>					<b>994</b>	<b>Fees Adjusted 10/29/94</b>
Application, Dental	30	50	150	150		
Bd Conducted Clinical Exam	375	700	1,235	1,235		
Dentist	180	200	500	500		
Specialists, Dentists	50	50	200	200		
Branch Offices	20	50	100	100		
Parental Sedation	50	50	100	100		
License by Credentials	0	250	1,500	1,500		
Gen. Anesthetic	0	50	100	100		

Department of Commerce Economic Development  
Division of Occupational Licensing

PROGRAM	FY 93	FY 94	FY 95	FY 96	FY 95	
USER FEE	FEE	FEE	FEE	FEE	No. of	COMMENTS
					Licenses	
Dentists, Inactive	90	100	250	250		
Application, Hygienist	30	50	85	85		
Board Conducted Exam	150	400	900	900		
Hygienists	100	100	196	196		
Local Anesthetic	20	50	50	50		
Credentials Review	50	50	100	100		
Hygienists, Inactive	75	200	98	98		
<b>D-E MIDWIVES</b>					<b>15</b>	<b>Fees Adjusted 10/29/94</b>
Application	50		250			
Midwives	350		850			
Examination Fee	100		175			
Apprentice Application	0		50			
Apprentice Permit	150		150			
<b>DISP. OPTICIANS</b>					<b>115</b>	<b>Fees Adjusted 5/95</b>
Application	50		50			
Disp. Opticians	230		385			
Written Exam	50		120			
Practical Exam	50		150			
Apprentice Registration	0		50			
<b>ELECTRICAL ADMIN.</b>					<b>512</b>	<b>Fees Adjusted 5/95</b>
Application	30	30	50	50		
Examination (per category)	50	50	50	75		
Electrical Admin. License	250	250	250	250		
Change in Affiliation		0	25	25		
<b>GEOLOGISTS</b>					<b>409</b>	<i>(FY 97 Proposes to eliminate the program by legislation.)</i>
Geology	30		50			
<b>GUIDE-OUTFITTERS</b>					<b>1,350</b>	<b>Fees Adjusted 10/29/94</b>
Application	30	50	50	50		

Department of Commerce Economic Development  
Division of Occupational Licensing

PROGRAM	FY 93	FY 94	FY 95	FY 96	FY 95	
USER FEE	FEE	FEE	FEE	FEE	No. of Licensees	COMMENTS
Written Exam	25	50	50	50		
Unit Exam	0	50	50	50		
Guide-Outfitters	200	200	130	130		Annual Fee
Use Area Application	0	50	50	50		
Use Area Registration	0	100	100	100		Annual Fee
Class A/Asst G-O App.	30	50	50	50		
Class A/Asst G-O Exam	25	50	50	50		
Class A/Asst G-O License	200	200	175	175		
CUP Application	0	50	50	50		
Comm. Use Permit	100	100	100	100		Annual Fee
Transporter License	150	150	150	150		Annual Fee
<b>MARINE PILOTS</b>					<b>90</b>	<b>Fees Adjusted 10/29/94</b>
Deputy Marine Pilot App.	50		1,000			
Marine Pilot License	2,000		3,200			
Vessel Agent Registration	100		800			
Deputy MP Examination	100		500			
Extension, Endors., etc.	100		200			
Deputy Marine Pilot License	2,000		3,200			
<b>MFT</b>					<b>170</b>	<b>Fees Adjusted 10/29/94</b>
Application	50		100			
Therapists	300		300			
MFT Associate	200		200			4-year Fee
Temporary License	50		50			
Examination	200		240			
<b>MECHANICAL ADMIN.</b>					<b>463</b>	<b>Fees Adjusted 5/95</b>
Application	30	30	50	50		
Exam (per category)	50	50	50	75		
Mechanical Admin. License	250	250	250	250		
Change in Affiliation	0	0	25	25		

Department of Commerce Economic Development  
Division of Occupational Licensing

PROGRAM	FY 93	FY 94	FY 95	FY 96	FY 95	
USER FEE	FEE	FEE	FEE	FEE	No. of	COMMENTS
					Licenses	
<b>MEDICAL</b>					<b>2,028</b>	<b>Fees Adjusted 10/29/94</b>
Application	50		300			
Exam Fee: FLEX or USMLE	500		500			
Temporary Permit	50		110			
Locum Tenens App. Fee	0		100			
Locum Tenens	100		100			
MD/DO	400		440			
MD/DO, Inactive	200		225			
Retired Status License	50		50			
SPEX Exam	0	300	300			
Courtesy License App. Fee	0		100			
Courtesy License	0	50	100			
Residency Permit App. Fee	0	50	50			
PA Application	50		250			
PA Temporary Registration	50		50			
PA Temp. Authorization	50		50			
PA Locum Tenens	50		50			
Collab. Relationship	20		100			
PA Registration	50	100	250			
Student PA App/Permit	0		50			
Graduate PA App/Permit	0		50			
Paramedic Application	50		50			
Paramedic Temp. Permit	50		50			
Paramedic Provisional Lic.	50		50			
Paramedic License	50		50			
Change of Sponsor	0		25			
<b>MORT. SCIENCE</b>					<b>106</b>	<b>Fees Adjusted 10/29/94</b>
Application	30	50	65			
License Fee	60	180	175			
State Exam (per category)	50	50	60			
National Exam	50	50	225			
Trainee Application	30	50	65			

Department of Commerce Economic Development  
Division of Occupational Licensing

PROGRAM	FY 93	FY 94	FY 95	FY 96	FY 97	No. of	COMMENTS
USER FEE	FEE	FEE	FEE	FEE		Licenses	
Trainee Permit	20	50	65				
<b>NATUROPATHY</b>						<b>22</b>	<b>Fees Adjusted 7/28/94</b>
Application	30	50		50 *			
Naturopaths	100	340		540 *			
Temporary License	0	50		50 *			
Examination	0	50					
<b>NURSE AIDE REGISTRY</b>		55	55	55		<b>2,288</b>	
<b>NURSING</b>						<b>6,338</b>	<b>Fees Adjusted 5/28/93</b>
Application	30		50				
RN/LPN License	90		160				
Temp. Permits	20		50				
Prescriptive Auth. App.	30		50				
ANP/RNA Authorization	25		75				
Reexamination App.	0			25			New 7/95
<b>NHA</b>						<b>74</b>	<b>Fees Adjusted 10/29/94</b>
Application	30	50	65				
NHA	60	200	165				
Examination	125	125	220				
Provisional License	0	50	65				
<b>OPTOMETRY</b>						<b>87</b>	<b>Fees Adjusted 10/29/94</b>
Application	30	50	100				
Examination	50	50	210				
Optometrists	100	200	445				
Pharmaceutical Agent End.	20	100	100				
Branch Office Regis.	20	50	50				
<b>PHARMACY</b>						<b>634</b>	<b>Fees Adjusted 5/28/93</b>

Department of Commerce Economic Development  
Division of Occupational Licensing

					FY 95	
PROGRAM	FY 93	FY 94	FY 95	FY 96	No. of	
USER FEE	FEE	FEE	FEE	FEE	Licenses	COMMENTS
Application	20	50		50		
Examination	90	150		150		
Temporary License	20	50		50		
Emergency Permits	180	50		50		
Intern License	180	50		50		
Pharmacists	180	180		180		
Wholesale Drug Dealer	180	200		200		
Retail Pharmacies	180	200		200		
Hospital Pharmacy	180	200		200		
Hospital Durg Room	180	200		200		
Nursing Homes/Related DR	180	200		200		
Out-of-State Pharmacies	0	100		100		
<b>PT/OT</b>					<b>484</b>	<b>Fees Adjusted 5/28/93</b>
Application	30	50		50		
PT Exam	90	100		100		
PTA Exam	80	100		100		
PT/OT License	100	180		180		
Temporary Permit	50	50		50		
Limited Permit	50	50		50		
PTA/OTA License	100	130		130		
<b>PSYCHOLOGY</b>					<b>227</b>	<b>Fees Adjusted 5/95</b>
Application	50		50			
National Exam	135		275			
Credentials Review	50		50			
Psychologists	250		700			
Temporary License	50		150			
Psychological Assoc. Lic.	250		550			
State Examination	0		50			
<b>PUBLIC ACCY</b>					<b>1,049</b>	<b>Fees Adjusted 11/95</b>
Application	30	50		50		

Department of Commerce Economic Development  
Division of Occupational Licensing

	FY 93	FY 94	FY 95	FY 96	FY 95	
PROGRAM	FY 93	FY 94	FY 95	FY 96	No. of	
USER FEE	FEE	FEE	FEE	FEE	Licenses	COMMENTS
Examination	70	100		100		
CPA's	180	180		165		
Inactive CPA's	95	100		100		
Uncertified PA License	100	100		100		
Partnership/Corp. License	100	100		100		
Nonres P/Corp	100	100		100		
Out-of-State CPA Permit	90	100		75		
<b>RE APPRAISERS</b>					<b>202</b>	<b>Fees Adjusted 5/95</b>
Application	50		100			
Certification Fee	250		460			
RE App. Trainee P- . . .	50		50			
Courtesy License	100		100			
Course Approval	25		50			
Annual Federal Registry	25		25			
<b>REAL ESTATE</b>					<b>2,515</b>	<b>Fees Adjusted 11/95</b>
Application	0	50		50		
License Fee	125	125		165		
Change of Broker (per lic.)	5	25		5		
Transfer of License	5	25		25		
Office Registration	25	25		25		
License Inactivation/React.	0	25		25		
Course Cert. (per credit hr.)	25	25		25		
Corres. Course Cert.	50	50		50		
Course Revision	25	25		25		
Instructor Approval	100	100		100		
Temporary Inst. Approval	50	50		50		
Surety Fund	125	125		125		
<b>SOCIAL WORK (Clinical)</b>					<b>219</b>	<b>Fees Adjusted 5/28/93</b>
Application	30	50		50 *		
License Fee	300	150		240 *		

Department of Commerce Economic Development  
Division of Occupational Licensing

					FY 95	
PROGRAM	FY 93	FY 94	FY 95	FY 96	No. of	
USER FEE	FEE	FEE	FEE	FEE	Licenses	COMMENTS
<b>STORAGE TANK WORKERS</b>					<b>399</b>	<b>Fees Adjusted 11/95</b>
Application	50			50		
UST Workers	50			80		
Installation	50			80		
Closure	50			80		
Tank Tightness	50			80		
Cathodic Protection	50			80		
<b>VETERINARY</b>					<b>322</b>	<b>Fees Adjusted 10/29/94</b>
Application	30	50	50			
Veterinarian	100	200	220			
Temp. Lic.	50	100	100			
Temp. Permit	50	100	100			
Courtesy Lic.	50	75	75			
Vet Tech Application	30	50	50			
Vet Technician	60	80	50			
Vet Technician Exam	60	70	100			
Vet Exam - Written	100	100	140	165 *		
Vet Exam - CCT	75	100	100	140 *		
State Vet. Exam	75	100	100			

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT  
OCCUPATIONAL LICENSING

BUDGET REPORT FOR PSYCHOLOGY

AS OF MARCH 3, 1995

Last Renewal Date: June 30, 1995

PSYCHOLOGY (In Thousands)		FY93 EXPENSES	FY94 EXPENSES	FY95 EXPENSES	FY96 EXPENSES TO DATE
PERSONAL SERVICES (71000)	Direct			25.1	21
	Indirect			6.5	4.1
Total:		\$17.6	\$52.2	\$31.6	\$25.1
PERSONAL SERVICES COMMENTS:					
TRAVEL (72000)	Direct			3.3	4.1
	Indirect			0.1	0.1
Total:		\$3.2	\$3.4	\$3.4	\$4.2
TRAVEL COMMENTS					
CONTRACTUAL SERVICES (73000)	Direct			10.3	3.5
	Indirect			1.7	0.8
Total:		\$13.5	\$26.2	\$12.0	\$4.3
CONTRACTUAL SVCS COMMENTS:					
SUPPLIES (74000)	Direct			0.0	0.1
	Indirect			0.3	0.2
Total:		\$0.2	\$0.2	\$0.3	\$0.3
SUPPLIES COMMENTS					
EQUIPMENT (75000)	Direct			0.0	0.0
	Indirect			0.2	0.0
Total:		\$0.1	\$0.0	\$0.2	\$0.0
EQUIPMENT COMMENTS					
Total Direct:		\$0.0	\$0.0	\$38.7	\$28.7
Total Indirect:		\$0.0	\$0.0	\$8.8	\$5.2
TOTAL EXPENSES:		\$34.6	\$82.0	\$47.5	\$33.9
TOTAL REVENUE:		23.7	14.7	\$98.8	\$31.9
BALANCE (Revenue - Expenses) :		(\$10.9)	(\$67.3)	\$51.3	(\$2.0)
NOTE: All expenses are a sum of direct and indirect costs.					

# Alaska State Legislature



*Legislative Committees:*  
Resources  
Legislative Budget & Audit  
Administration Regulation Review  
Military & Veteran Affairs

*Legislative Budget Subcommittees:*  
University of Alaska  
Department of Natural Resources  
Department of Law

119 N. Cushman Street Suite 207  
Fairbanks, Alaska 99701  
(907) 456-8172  
FAX (907) 451-9293

*While in Session*  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4457  
FAX (907) 465-3519

## Representative John Davies District 29

2/14/96

### **Sponsor Statement** **HB 510** **Distributing legal costs for Occupational Licenses**

The costs of occupational licenses fluctuate greatly from year to year, in some cases over 100% or 200%. Part of the reason is that each profession must pay for all of the costs to regulate the profession. This includes enforcing any disciplinary actions on a member who operates outside of professional standards. Professions may not need the Division of Occupational Licensing legal expertise one year and then may need it several times the next resulting in a rapid increase of license costs. The situation is exacerbated if it is a profession with a small amount of licensees.

This unpredictability is problematic. A business person may have difficulty budgeting for these higher license costs. In some cases the periodic increase can put some professionals out of business, forcing the remaining licensees to foot a higher percentage of the enforcement costs. Some professions may be reluctant to discipline one of their members in fear of driving up their licensing costs.

In an effort to address this problem I have introduced HB 510, a bill to distribute enforcement costs of all professions throughout the total number of licensees. This will stabilize fees from year to year and allow professionals to budget with more predictability.

## Occupational Licensing Fees

Occupation/Profession	FY 93 fee	FY 94 fee	FY 95 fee
Acupuncture	400	180	385
Barber/Hairdresser	100	150	150
Chiropractor	100	300	305
Collection Agency	100	200	200
Dentist	180	200	500
Hygienist	100	100	196
Midwife	350	350	850
Dispensing Optician	230	230	385
Guide-Outfitter	200	200	150
Marine Pilot	2000	2000	3200
Physician Assistant	50	100	200
Naturopathy	100	340	340
Registered Nurse	90	90	160
Psychology	250	250	700
Social Work	300	150	150
Veterinary	100	200	220

Information provided by Division of Occupational Licensing

# Alaska State Legislature



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Resources  
Legislative Budget & Audit  
Administration Regulation Review  
Military & Veteran Affairs

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## Representative John Davies District 29

### Memorandum

Date: February 15, 1996 *Pete*  
To: Representative Pete Kott  
Chair, Labor and Commerce Committee *John Davies*  
From: Representative John Davies  
Re: HB 510

I respectfully request a hearing for HB 510, a bill distributing legal costs for Occupational Licenses.

As you are aware, the costs of occupational licenses fluctuate greatly from year to year, in some cases over 100% or 200%. Part of the reason is that each profession must pay for all of the costs to regulate the profession. This includes enforcing any disciplinary actions on a member who operates outside of professional standards. Professions may not need the Division of Occupational Licensing legal expertise one year and then may need it several times the next resulting in a rapid increase of license costs. The situation is exacerbated if it is a profession with a small amount of licensees.

HB 510 will remedy this situation by distributing enforcement costs of all professions throughout the total number of licensees. It will stabilize yearly fees and ensure that professions with fewer licensees will not be priced out of business.

Again, I request that you schedule a hearing for HB 510 at your earliest convenience. Please contact Shannon in my office (x6854) if you have any questions. Thank you.



**HB**

**518**

CS FOR HOUSE BILL NO. 518( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act exempting certain persons engaged in servicing certain vehicles or farm  
2 implements from overtime wage requirements."

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

4 \* Section 1. AS 23.10.050(d) is amended by adding a new paragraph to read:

5 (18) a flat rate mechanic primarily engaged in servicing automobiles,  
6 trucks, or farm implements if the individual is employed by a nonmanufacturing  
7 establishment primarily engaged in the business of servicing or selling those vehicles  
8 or implements.

9 \* Sec. 2. This Act applies to work performed on or after the effective date of this Act.

# House Labor & Commerce Committee

State Capitol  
Juneau, Alaska 99801-1182  
907-465-4954

## HB 518 SECTIONAL ANALYSIS

### Section 1:

Grants an overtime compensation exemption to salesmen, partsmen, and mechanics engaged in selling or servicing automobiles at nonmanufacturing establishments.

### Section 2:

Provides that the Act applies only to work performed on or after its effective date.

# House Labor & Commerce Committee

State Capitol  
Juneau, Alaska 99801-1182  
907-465-4954

## HB 518 SPONSOR STATEMENT

Persons engaged in selling and repairing automobiles are often paid on a commission basis. As a result, many of such people are desirous of working more than 8 hours a day or 40 hours a week. This presents a problem. The State of Alaska requires the payment of overtime for any time worked in excess of those limits. This is the case even where compensation is commission based.

Federal law provides mechanics and salesmen an exemption from overtime requirements. HB 518 would conform state law to the federal approach. Your support is urged.

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. HB 518

Revision Date: \_\_\_\_\_  
 Title: Overtime Compensation for  
Vehicle Sales People  
 Sponsor: House Labor & Commerce  
 Requestor: House Transportation

Department Affected: Labor  
 BRU: Labor Standards & Safety  
 Component: Wage & Hour

COMPONENT SERIAL NO. 345

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>						
----------------	--	--	--	--	--	--

<b>CHANGE IN REVENUE</b>						
<b>FUND SOURCE #</b>						

**FUNDING:** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) Impact: \$ None

**ANALYSIS:** (Attach a separate page if necessary)

This bill would exempt certain salesmen, partsmen and mechanics primarily engaged in selling or servicing automobiles, trucks or farm implements from overtime wage requirements if the individual is employed by a nonmanufacturing establishment primarily engaged in the business of selling those vehicles to ultimate purchasers. The bill has an immediate effective date.

Prepared by: Al Dwyer, Director Phone: 269-4914

Division: Labor Standards & Safety Date: 2/23/96

Approved by Commissioner: Tom Cashen, Commissioner

Agency: Department of Labor Date: 2/23/96

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# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## DEPARTMENT OF LABOR

### OFFICE OF THE COMMISSIONER

P.O. BOX 21149  
JUNEAU, ALASKA 99802-1149  
PHONE: (907) 465-2700  
FAX: (907) 465-2784

September 22, 1995

*George:  
File w/ draft bill  
for future use.  
9-30*

The Honorable Pete Kott  
10928 Eagle River Road, Suite 141  
Eagle River, AK 99577

Dear Representative Kott:

Thank you for this opportunity to comment on a proposed bill exempting auto mechanics from State law overtime statutes prior to its introduction.

As you are aware, it is the Department of Labor's mission to "foster and promote the welfare of the wage earners of the state, improve their working conditions and advance their opportunities for profitable employment." Essential to performance of this mission is the preservation of laws and regulations that provide adequate protection for Alaskan workers and their families, such as the Alaska Wage and Hour Act (AWHA).

While it might be true that a large number of Alaskan mechanics work on a commission/flat rate basis, it is also true that these arrangements are a continuing source of wage claims for the Department. A few of the problems these flat rate agreements promote include:

- Employers require mechanics to be available without pay at the work site for hours in excess of hours compensated;
- Diagnostic and warranty work typically requires mechanics to work without pay;
- Auto dealers/service managers promote "freebies" for which mechanics are not paid;
- A difficult repair, not the fault of the mechanic, requires excess hours of work (beyond the "book" or flat rate) without compensation;
- Service station mechanics are required to perform a variety of jobs, some without pay, i.e., pump gas, tow vehicles, etc.;

Liability for shop damage to a vehicle is deducted from the mechanic's wages up to the deductible of the employer's insurance, typically \$500.


In general, auto dealers, service repairs, mechanic shops, etc., through a flat rate/commission method, place the cost of doing business on their employees.

While the Department of Labor is always open to discussion on issues of concern to your committee, I do not believe exempting auto mechanics from the AWA is consistent with our statutory purpose.

As always, I appreciate the cooperation you have shown to the Department, as evidenced by this advance notice. If you do introduce this legislation we will have to agree to disagree, but our wage and hour staff will be available to provide you or your staff with any information required prior to that time or during the legislative process.

We look forward to working with you again in the coming session.

Sincerely,



Tom Cashen  
Commissioner

cc: John Abshire, Director  
Labor Standards & Safety Division

Dwight Perkins, Special Assistant

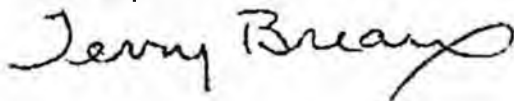
April 15, 1996

To: HOUSE LABOR AND COMMERCE COMMITTEE  
Re: HB 518

I am a Flat Rate Automotive Technician and a registered voter in the State of Alaska. I support HB 518. This will allow me the flexibility to work extra hours as I feel the need. If HB 518 is not approved I am limited to 8 hours a day without the flexibility that my counterparts outside the state enjoy. Please help eliminate this potential limitation to my income by supporting HB 518.

Thank You.

Terry Breaux  
Automotive Technician  
Juneau, AK.

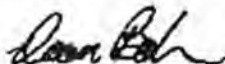


April 15, 1996

To: HOUSE LABOR AND COMMERCE COMMITTEE  
Re: HB 518

I am an Apprentice Automotive Technician at Mendenhall Auto Center and a registered voter in the State of Alaska. I am currently an hourly employee and I am working toward becoming a Flat Rate Technician. I support HB 518. This will allow me the flexibility to work extra hours as I feel the need. If HB 518 is not approved I am limited to 8 hours a day without the flexibility that my counterparts outside the state enjoy. Please help eliminate this potential limitation to my income by supporting HB 518.

Thank You.



Dean Baker  
Apprentice Service Technician  
Mendenhall Auto Center  
Juneau, AK.

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services  
Department of Education  
State of Alaska

April 15, 1996

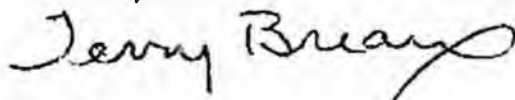
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Thank You.

Terry Breaux  
Automotive Technician  
Juneau, AK.



April 15, 1996

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Re: HB 518

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Thank You.

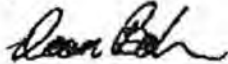
*Mike Knightlinger*  
Mike Knightlinger  
Automotive Technician  
Juneau, AK.

April 15, 1996

To: HOUSE LABOR AND COMMERCE COMMITTEE  
Re: HB 518

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Thank You.



Dean Baker  
Apprentice Service Technician  
Mendenhall Auto Center  
Juneau, AK.

*Alaska Auto Dealers Association*

935 Gambell Anchorage, Ak. 99501  
JUNEAU 789 1386 FAX 789 2865

April 3, 1996

The Honorable Gary Davis  
Chairman, House Transportation Committee  
Alaska State Legislature  
State Capital  
Juneau, Alaska 99801-1182

Dear Representative Davis,

The ALASKA AUTO DEALERS ASSOCIATION has reviewed the Committee Substitute for HB 518

I would like to express our support for this change. The Committee Substitute more accurately brings the State of Alaska in line with Federal Overtime Exemptions.

CS 518 allows the flat rate technician the ability and flexibility to earn the income they deserve.

The Committee Substitute addresses our concerns and that of our employees. While also addressing the concerns of the independent body and mechanical shops.

The House Labor and Commerce Committee has reworked this legislation quite effectively. The bill has become simple, clean, and to the point. It addresses and clarifies one specific issue and we commend the committee and Chair Kott for their work.

I encourage your support of the Committee Substitute of HB 518.

Respectfully Yours,

Steven Allwine  
President

cc: Representative Pete Kott  
Representative Tom Brice  
Representative Jeannette James  
Representative Don Long  
Representative Beverly Masek  
Representative Jerry Sanders  
Representative Bill Williams

*Alaska Auto Dealers Association*

935 Gambrell Anchorage, Ak. 99501  
JUNEAU 789 1386 FAX 789 2865

March 24, 1996

The Honorable Gary Davis  
Chairman, House Transportation Committee  
Alaska State Legislature  
State Capital  
Juneau, Alaska 99801-1182

Dear Representative Davis,

On behalf of the ALASKA AUTO DEALERS ASSOCIATION I would like to express my thanks for your consideration of our testimony on HB518 Wednesday, March 20. At the conclusion of the hearing it was obvious that a number of issues relating to this bill require review.

The first item concerns our support for this bill. Our only interest is in the area of technician pay. It would seem based on the testimony from the representative of DOI, that we should attempt to further define the issues in this area. Our suggestions are as follows:

- DOI expressed concern that HB518 was a special interest piece of legislation created only to serve the needs of the "Auto Dealers". Perhaps it should be expanded to acknowledge the independent mechanical and body shops within our state that operate in the same manner.
- We encourage your committee to eliminate the references to Sales People, Service Sales People, and Parts Counter People as this will serve to define the bill more clearly.
- Adjust the bill to read: ANY FLAT RATE MECHANIC PRIMARILY ENGAGED IN THE SERVICING OF AUTOMOBILES, TRUCKS, OR FARM IMPLEMENTS, IF HE IS EMPLOYED BY A NON MANUFACTURING ESTABLISHMENT PRIMARILY ENGAGED IN THE BUSINESS OF SERVICING SUCH VEHICLES OR IMPLEMENTS.

It is our intent to address the area of paying flat rate technicians overtime. Stated briefly "flat rate" is a commission type of pay structure. It precludes overtime compensation. If a technician works flat rate and produces 10 flat rate hours in an 8 hour period the technician is paid for 10 hours of work. If, however the tech produces 6 flat rate hours in an 8 hour period, the pay is for the 6 hours. This does not eliminate the minimum wage obligation of the employer. The benchmark for the industry is 117% production on an hourly basis (i.e., an 8 hour day generates pay for the average technician of 9.36 hours).

The other method of payment is the straight hourly rate based on actual time. It is appropriate that this type of pay plan qualify for overtime compensation. This is traditionally reserved for apprentice technicians and is the means by which they are able to support themselves while attaining the experience necessary to become a flat rate technician.

The representative from DOI, referenced the technicians being on some form of outside contract. As an employer I take a great deal of pride in the benefits that I provide my employees. Medical, dental, pension, training, and vacation are just a few of the benefits that I provide. I would be very resistant to treating these individuals as contractors and depriving them of these benefits.

As has been mentioned in both my correspondence and testimony there is a shortage nationally of certified technicians. It is truly an employees market. The industry standard method of payment is flat rate. It is preferred by experienced technicians' nation wide. This is further evidenced by the support of testimony at the March 20, Transportation hearing.

We urge you to pass HB 518 with the modifications presented out of your committee as soon as is possible.

Respectfully Yours,

Steven Allwine  
President

463-3181

*Alaska Auto Dealers Association*

935 Gambell Anchorage, Ak. 99501  
JUNEAU 789-1386 FAX 789 2865

March 25, 1996

The Honorable Pete Kott  
Chairman, House Labor and Commerce Committee  
Alaska State Legislature  
State Capital  
Juneau, Alaska 99801-1182

Dear Representative Kott,

Thank you for taking the time to speak with me this morning. I have attached my draft letter to Representative Davis with our suggestions for HB 518. I look forward to your response.

Respectfully Yours,

Steven Allwine  
President

TO: MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE

TOM BRICE  
GARY DAVIS  
JEANETTE JAMES  
DON LONG  
BEVERLY MASEK  
JERRY SANDERS  
BILL WILLIAMS

RE: HB 518

I AM AN AUTOMOTIVE TECHNICIAN AND A REGISTERED VOTER IN THE STATE OF ALASKA.

I SUPPORT PASSAGE OF HB 518. THIS WILL BRING THE STATE IN LINE WITH THE FEDERAL REGULATIONS CONCERNING THE PAYMENT OF "FLAT RATE" (BOOK TIME) FOR TECHNICIANS.

THE FLAT RATE PAY STRUCTURE IS THE STANDARD OF OUR INDUSTRY REGARDLESS OF WHETHER IT IS MECHANICAL OR BODY REPAIR WORK.

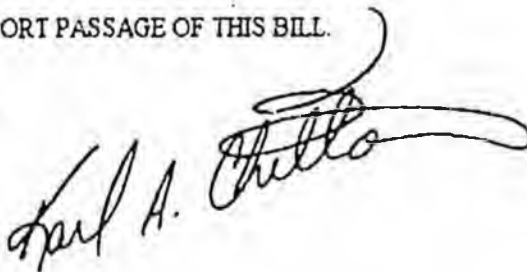
THE BENEFITS ARE HIGHER INCOME POTENTIAL AND INCREASED CUSTOMER SATISFACTION.

IF I PERFORM 8 HOURS OF BOOK TIME WORK IN LESS THAN THE 8 HOURS I AM PAID FOR IT. IF I AM ALMOST THROUGH WITH A JOB AT QUITTING TIME I HAVE THE ABILITY TO STAY, COMPLETE THE JOB, AND MAKE THE CAR AVAILABLE TO MY CUSTOMER.

PASSING HB 518 WOULD PERMIT ME TO MAKE THE INCOME THAT I DESIRE AND GIVE ME THE FLEXIBILITY TO WORK ADDED HOURS AS I SEE FIT.

PLEASE SUPPORT PASSAGE OF THIS BILL.

SINCERELY

A handwritten signature in cursive script, appearing to read "Karl A. Chillo". The signature is written in dark ink and is positioned to the right of the word "SINCERELY".

TO: MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE

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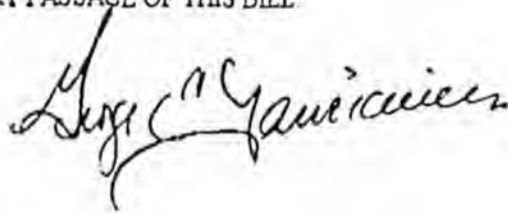
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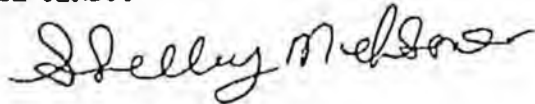
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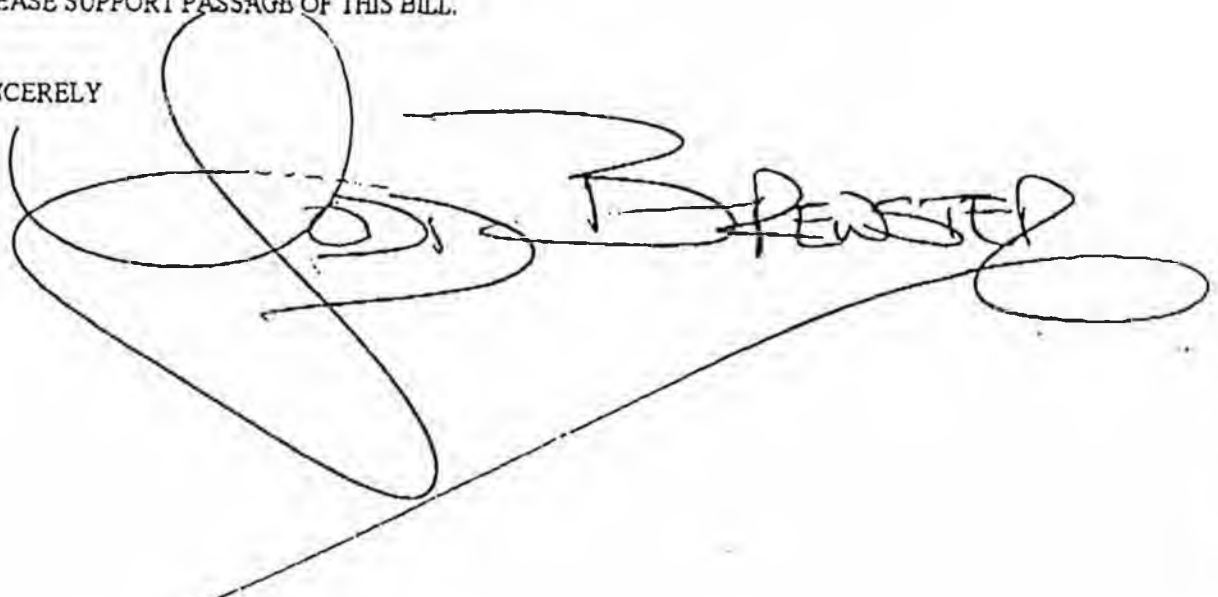
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A large, stylized handwritten signature in black ink, appearing to read "Tom Brice". The signature is written over a horizontal line and includes a large, looping flourish on the left side.

TO: MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE

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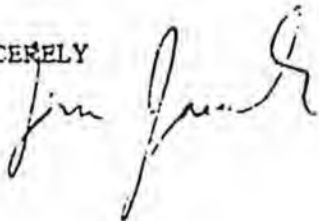
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CLAYTON GOODROW

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A handwritten signature in black ink, appearing to be "R. [unclear]". The signature is written in a cursive style with a large, sweeping flourish at the end.

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*David G. Allgeier*

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*David E. Tamm*

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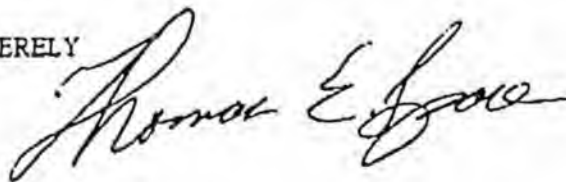
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*Dennis R. Ziemke*

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IF I PERFORM 8 HOURS OF BOOK TIME WORK IN LESS THAN THE 8 HOURS I AM PAID FOR IT. IF I AM ALMOST THROUGH WITH A JOB AT QUITTING TIME I HAVE THE ABILITY TO STAY, COMPLETE THE JOB, AND MAKE THE CAR AVAILABLE TO MY CUSTOMER.

PASSING HB 518 WOULD PERMIT ME TO MAKE THE INCOME THAT I DESIRE AND GIVE ME THE FLEXIBILITY TO WORK ADDED HOURS AS I SEE FIT.

PLEASE SUPPORT PASSAGE OF THIS BILL.

SINCERELY

A handwritten signature in black ink, appearing to be "J. Sanders", written over the word "SINCERELY".

TO: MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE

TOM BRICE  
GARY DAVIS  
JEANETTE JAMES  
DON LONG  
BEVERLY MASEK  
JERRY SANDERS  
BILL WILLIAMS

RE: HB 518

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I SUPPORT PASSAGE OF HB 518. THIS WILL BRING THE STATE IN LINE WITH THE FEDERAL REGULATIONS CONCERNING THE PAYMENT OF "FLAT RATE" (BOOK TIME) FOR TECHNICIANS.

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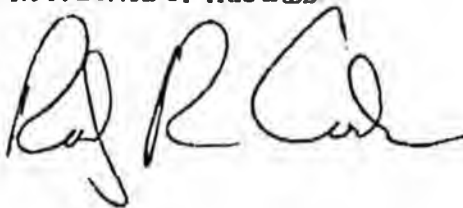
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# LEWIS MOTORS



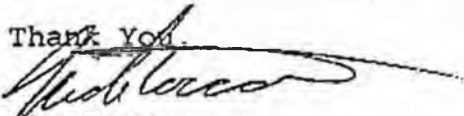
4950 N. TONGASS HWY., KETCHIKAN, ALASKA 99901 (907) 225-8383 FAX: (907) 225-0298 TOLL FREE 1-800-478-2438

April 02, 1996

To: Transportation Committee  
Re: HB 518

I am a Flat Rate Automotive Technician at Lewis Chevrolet and a registered voter in the state of AK. I support HB 518. This will allow me the flexibility to work extra hours as I feel the need. If HB518 is not approved I am limited to 8 hours a day without the flexibility that my counterparts outside the state enjoy. Please help eliminate the current limitation to my income by supporting HB 518.

Thank You.

  
Nick Tocco  
Service Technician  
Lewis Chevrolet  
Ketchikan, AK

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Tim Sexton  
Service Technician  
Lewis Chevrolet  
Ketchikan, AK

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Thank You.

Steve Fulk  
Service Technician  
Lewis Chevrolet  
Ketchikan, AK



## Easy Street Auto, Inc.

February 26, 1996

VIA FACSIMILE

The Honorable Pete Kott  
Alaska State Legislature  
Juneau, Alaska  
fax 465-2819

Support for HB 518, Overtime  
Wage and Hour Requirements

Dear Representative Kott:

Wednesday, February 28, the House Transportation Committee will hear public testimony on HB 518, dealing with overtime wage and hour requirements. On behalf of the Alaska Auto Dealers Association and Easy Street Auto, Inc., I would like to express my support for House Bill 518. This bill will serve to bring the State of Alaska in line with the federal overtime exemption law regarding the automotive industry.

HB 518 deals exclusively with business that are involved in the marketing of vehicles to the exclusive purchaser. This makes the bill a very narrow piece of legislation and we feel that is appropriate.

At the national level, there is a major shortage of qualified technicians. In Alaska this is particularly true. This offers an excellent opportunity for local employment. It is unfortunate that the available training for citizens is limited.

In other areas of the country technicians have the opportunity to earn as much income as they aspire to. Productivity increases because technicians know that by enhancing their education and skills through training they become more efficient and are compensated for their efforts. In Alaska technicians are rewarded for improving their skills but never reach the income potential of their counterparts outside.

It is in the best interest of Alaska to see that HB 518 passes the legislature and becomes law.

Thank you for your time and effort.

Sincerely,

EMORY G. SHELLEY  
President-Easy Street Auto, Inc.  
Secretary-AK Auto Dealers Assn.

EGS/ds  
auto: 9698

*"Easy to do business with Easy Street"*

925 East Fifth Avenue • Anchorage, Alaska 99501 • (907) 258-3300

**AUTO SERVICE CO., INC.**

Ⓢ TOYOTA

Ⓢ SUBARU

Ⓢ ISUZU

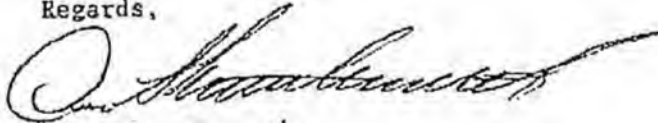
April 17, 1996

Representative Pete Kott  
Chairman, Labor and Commerce Committee  
Alaska House of Representatives

Dear Sir:

Auto Service Company supports the House Labor and Commerce Committee  
substitute for HB 518.

Regards,



Dave Shuttleworth  
General Manager

CC: Norman Rokeberg  
Beverly Masek  
Brian Porter  
Jerry Sanders  
Kim Elton  
Gene Kubina

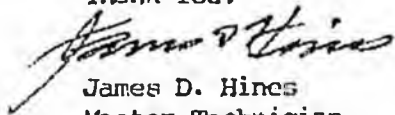
*Sales - Parts - Service*  
3285 South Cushman Street, Fairbanks, Alaska 99701-7596  
Phone (907) 456-6217 Fax (907) 452-8595

April 15, 1996

To: HOUSE LABOR AND COMMERCE COMMITTEE  
Re: HB 518

I am a Flat Rate Automotive Technician and a registered voter in the State of Alaska. I support HB 518. This will allow me the flexibility to work extra hours as I feel the need. If HB 518 is not approved I am limited to 8 hours a day without the flexibility that my counterparts outside the state enjoy. Please help eliminate this potential limitation to my income by supporting HB 518.

Thank You.



James D. Hines  
Master Technician  
Juneau, AK.



George.

AUTO, Inc.

April 15, 1996

**MAZDA**

Representative Pete Kott, Chairman  
House Labor and Commerce Committee  
House of Representatives  
State of Alaska  
Juneau AK

907 / 456-6161 FAX 451-7349  
2610 S. Cushman, Fairbanks, AK 99701

Dear Chairman Kott,

Please support the committee substitute for HB 518.

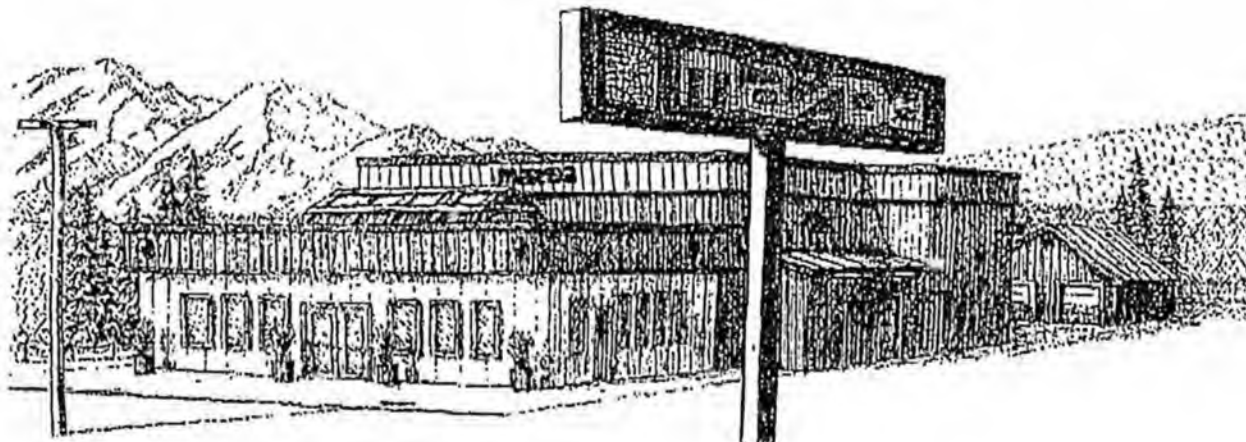
Commission automotive technicians are paid a flat rate per job assigned. This is the industry standard and has been going on so long even the newest car owner seems to understand this method of determining what a job is worth in retail repair. Customers are not willing to pay more for car repairs because the technician has already worked eight hours that day. Hence, it is common practice for technicians to be sent home after eight hours even though the technicians would be willing to stay for more work at straight time.

In some cases the car owner in need of a repair must consider being without his transportation and choose to do business at a "second choice" facility. Franchised car dealerships need relief from this unjust law of time and one half for commission (flat rate) work. Time and one half is fair for "entry level" jobs and for true hourly compensated people. Automotive technicians are not entry level - pay is usually in the \$20.00 per flat rate hour range. Most all have health insurance benefits, and have training and expenses (air fair, hotels, etc.) paid by the dealership.

I would gladly talk to you further about this bill. Please call if you have questions.

Yours truly,

*Randall G. Bonjour*  
Randall G. Bonjour  
President



# Gene's Chrysler

Chrysler Plymouth Dodge Jeep Eagle

1804 Cushman Street  
Fairbanks, Alaska 99701  
(907) 452-7117  
(907) 451-6137 (Fax)

4-16-96

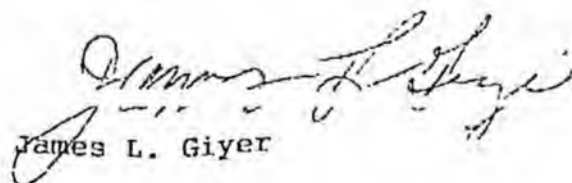
RE: HB 518

Dear Sirs/Maam,

As a Flat rate Technician I support HB 518 because it gives me the opportunity to work in excess of 40 hours per week (at my discretion) without the requirement that my employer have to pay time and a half for overtime. This gives me the flexibility to work additional hours without penalizing my employer.

Please support this bill.

Sincerely,

  
James L. Geyer

 **CHRYSLER**  
**CORPORATION**  
AUTHORIZED DEALER

# Gene's Chrysler

Chrysler Plymouth Dodge Jeep Eagle

1804 Cushman Street  
Fairbanks, Alaska 99701  
(907) 452-7117  
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Sincerely,

Darryl Greil



# Gene's Chrysler

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Sincerely,



Pat Osborn

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Joe Racina

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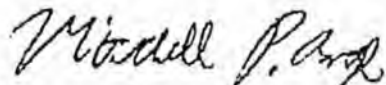
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Mitchell P. Auge

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Ronnie Redfern

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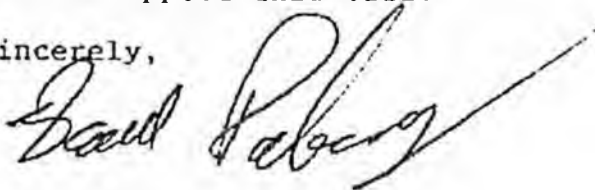
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David Pauliny