

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 00/2

9714 SENATE RULES

KACHEMAK BAY TITLE AGENCY, INC.

3691 BEN WALTERS LANE #1

HOMER, ALASKA 99603

PHONE (907) 235-8196

-- FAX (907) 235-2420

April 10, 1998

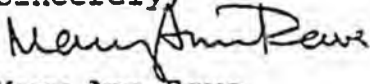
Sen. Loren Leman
Labor and Commerce Committee
State Capitol
Juneau AK 99801

Dear Senator Leman

We urge you to pass HB 33 in it's current draft.

The passage of this bill is important, not only to the real estate and financial community but to the Alaskan consumer.

Sincerely,



Mary Ann Rowe
President

cc: Rep. Norm Rokeberg



**SEATTLE
MORTGAGE**
A MORTGAGE BANKER

Alaska Branch
4300 B Street
Suite 206
Anchorage, AK 99503
(907) 562-5626
FAX (907) 562-7798

April 8, 1998

Senator Loren Leman

VIA FAX (907) 465-3810

Re: House Bill 33

Dear Senator:

Seattle Mortgage Company has operated a branch office in Anchorage for the past 12 years and our branch currently services \$247,000,000 in loans in Alaska. I have been an Alaskan resident for 28 years and reside at 7721 Rovenna St., Anchorage, AK 99518.

I had intended to be neutral with regard to HB 33, but recent revelations have caused me to write this letter to urge you to pass the bill out of your committee and on to the floor of the Senate. I do not believe that affinity marketing will have a significant effect on our production, but I do believe that in the absence of control, unsophisticated Alaskan home buyers will be harmed.

Rebates are an indication that the product was overpriced to begin with. No viable business gives anything away. I have reviewed good faith estimates provided to Alaskans by outside lenders. Some of the lenders were part of affinity groups and others were stand alone. In every case, the customer was being over charged or the costs were grossly understated and did not relate to the actual settlement costs for an Alaskan mortgage transaction. If it was not prohibited by many of the regulations that which we must comply, we could give rebates with every loan we make. It's simple. Just charge the borrower an interest rate slightly higher than market, sell the excess yield for a premium, pay part of the premium to the affinity manager, (who rebates part to the borrower), and pocket the remainder. The customer thinks he got a great deal but in fact he/she was cheated. It also looks like laundering to me.

I have been approached by affinities via the Internet. After examining the programs they offered, I became convinced that I wanted nothing to do with it. I like to be able to see my customers at Carrs or Safeway and not have to duck down the next aisle.

I abhor regulation, but in this issue, I believe it would benefit Alaskans to shield them from the scams that are certain to develop out of affinity and/or multi-level marketing groups. Please pass HB 33 out of committee.

Sincerely,

Richard E. Dolman
Manager



REALTOR®

ALASKA ASSOCIATION OF REALTORS, INC.

741 Sesame Street, Suite 100 • Anchorage, Alaska 99503
 Telephone 907-563-7133 • Fax 907-561-1779

February 19, 1998

02-20-98A12:45 RCVD

Alaska State Legislature
 State Capitol
 Juneau, AK 99801-1182

Ref: HB 33

Dear Legislators,

The Alaska Association of REALTORS® and its over 1100 members statewide, believe HB 33 is good public policy and helps further protect the consumers of the State of Alaska. The industry has had numerous meetings with the author of House Bill 33 "An act relating to real estate licensees and to the real estate surety fund." The meetings were designed to clarify language in the bill, craft needed changes to the original bill, and insure the bill meets the needs of the public as well as our industry. It does that: Our Association supports and endorses the current HB 33 in concept and scope. We support the majority of changes the bill will create and would ask for your support when it comes up for a vote.

Sincerely,

Jerry Royse
 President Alaska Association of REALTORS®





ANCHORAGE BOARD OF REALTORS, INC.

REALTOR® *The Voice for Real Estate™* In Anchorage

21 Sesame Street
Suite #200
Anchorage, Alaska 99503
907-561-2338
907-563-6476 Fax

February 18, 1998

Alaska State Legislature
State Capital
Juneau, Alaska 99801-1182

Dear Representative Rokeberg,

This letter is to make clear that the Anchorage Board of REALTORS® does support HB33. We appreciate all the time and effort that has gone into the Bill on your part. It is our hope that these changes will clarify the license law and items concerning the Senior Fund.

Best regards,

Don McKenzie, President
Anchorage Board of REALTORS®

02-19-98 04:53



Feb-19-98 05:24P

February 19, 1998

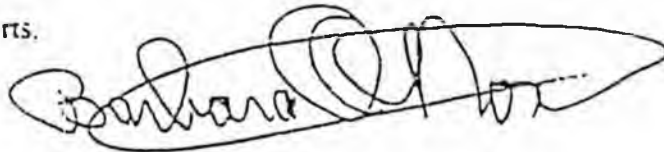
Kenai Peninsula Board of Realtors
33477 Spur Hwy., Suite 201
Soldotna, Ak. 99669

Re: HB 33

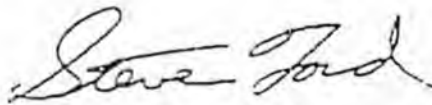
Dear Representative Rokeberg and Members of the House,

We, the members of the Kenai Peninsula Board of Directors, would like to go on record as supporting HB 33. The Legislative and Industry Issues Key Work Group from our Board of Realtors has been actively involved in the revisions and progress of this piece of legislation. We believe it is important to pass HB 33 to correct the current state of the Alaska Statutes that directly effect our industry.

Thank you for your efforts.



Barb Nord
President
Kenai Peninsula Board of Realtors



Steve Ford
Co-Chairman
Legislative and Industry Issues Key Work Group

02-19-98 05:25:00 RCVD



Kodiak Board of Realtors

218 Center Ave. Suite 200
Kodiak, Alaska 99615


February 20, 1998

Alaska State Legislature
State Capital
Juneau, Alaska 99801-1182

Dear Representative Rokeberg,

This letter is to make clear the Kodiak Board of REALTORS® supports HB33. We appreciate the time and effort that you have put into this Bill. It is our hope that these changes will clarify the license law and items concerning it.

Sincerely,


Sharlene Sullivan, President
Kodiak Board of Realtors®



Southeast Board of Realtors®



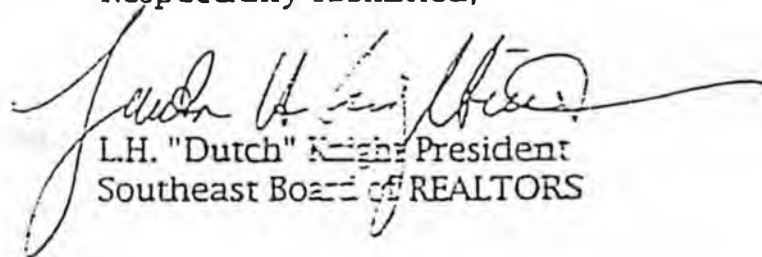
P. O. Box 32646
Juneau, Alaska 99803-2646
Phone: (907) 586-2491
Fax: (907) 586-2021

February 21, 1998

Resolution for support of House Bill 33

The Southeast Board of Realtors have hereby read and reviewed HB 33, version T and do hereby support and endorse HP 33. Therefore, the Southeast Board of REALTORS do hereby respectfully request that the House of Representatives of the Alaska Legislature pass HB 33.

Respectfully submitted,


L.H. "Dutch" Knight President
Southeast Board of REALTORS



Valley Board of REALTORS®
851 E. Westpoint Drive, Ste. 208, Wasilla, Alaska 99654
Telephone 907-376-5080 • Fax 907-376-5081

02-20-98P03108 RCVD

February 20, 1998

Representative Norman Rokeberg
State of Alaska
House of Representatives
State Capitol
Juneau, AK 99801-1182

Dear Representative Rokeberg:

On behalf of the Valley Board of REALTORS please be advised that we are in support of H.B. 33. Please relay this message loud and clear to all House Members and others as you deem appropriate. We very much appreciate all your hard work and believe this bill is a win-win for Alaskan consumers as well as all members within the real estate industry.

Thank you again for your effort in this matter.

Sincerely,

Kevin Crozier, President
Valley Board of REALTORS





Kachemak Board of Realtors

P.O. Box 2660

HOMER, ALASKA 99603

02-21-98P03:23 RCVC

February 21, 1998

The Honorable Chairman Norman Rokeberg
Alaska State Legislature
House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Re: HB 33 Final Draft

Dear Chairman Rokeberg:

WHEREAS, the Directors of the Kachemak Board of Realtors reviewed HB 33 final draft:

Resolved: The Kachemak Board of Realtors do hereby support the final version of HB 33 received by fax at 13:31 on Friday, February 20, 1998.

Sincerely,

Terry Yager
President
Kachemak Board of Realtors
Homer, Alaska

cc: Jerry Royce
Dea Turner
Gail Phillips

TY/lw

Community Associations Institute
Greater Alaska Chapter
c/o Shane Osowski
550 West 7th Avenue, Suite 1850
Anchorage, Alaska 99501

March 4, 1998

VIA TELECOPIER
(907) 465-2040

Honorable Norman Rokeberg
Representative, House District 11
Alaska State Legislature
Alaska State Capitol
Juneau, Alaska 99801-1182

Re: House Bill 33

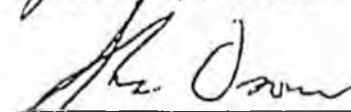
Dear Representative Rokeberg:

Thank you for your efforts to involve CAI in the legislative process concerning House Bill 33. House Bill 33 in its present form addresses all of our concerns and ensures the public of certain professional standards when dealing with licensed association managers. We strongly support this bill and urge its immediate passage.

Norm, we sincerely appreciate your efforts to involve CAI in the legislative process and meet our concerns. As discussed, CAI's national board of directors has a standing policy opposed to licensing of managers as real estate brokers. While our board of directors is unanimously in favor of your bill with these changes, there is some question whether our local chapter may be required to adopt an "official" neutral position regarding the bill while individually supporting it. We are still in the process of sorting this out, but will make every effort to show our support.

Community Associations Institute
Greater Alaska Chapter


John Harris, President


Shane Osowski, Past President


Art Clark, Co-Chairperson
Legislative Committee

ALASKA MORTGAGE BANKERS ASSOCIATION RESOLUTION

WHEREAS, the Alaska Mortgage Bankers Association is a non-profit association whose main purpose is to educate those associated with any facet of the finance portion of the home ownership process thus encouraging home ownership by providing access to affordable housing loan programs,

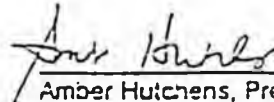
WHEREAS, the Alaska Mortgage Bankers Association promotes and supports affordable loans programs for Alaskans such as the Alaska Housing Finance Corporation's Tax Exempt Programs, Anchorage Neighborhood Housing Services' various loan programs, Municipality of Anchorage's ANCHOR program and Cook Inlet Housing Program,

WHEREAS, the Alaska Mortgage Bankers Association believes that knowledgeable Real Estate Professionals are a valuable and integral part of the education process for buyers and sellers, especially in understanding and executing a real estate contract

WHEREAS, the Alaska Mortgage Bankers Association concludes when third party affinity groups become involved in Real Estate transactions, the consumer is likely to be referred to an affinity partner who may provide limited, if any, education of the Alaska home buying process and who may restrict referrals to lenders who do not actively promote affordable Alaska home loan programs,

THEREFORE RESOLVED, the Alaska Mortgage Bankers Association hereby supports enforcement of Alaska Statute 08.88.161 which states in part, "Unless licensed as a real estate broker, associate real estate broker, or real estate salesman, a natural person, foreign or domestic corporation, or partnership, or limited partnership, or other entity may not (5) assist in or effect the procuring of prospective buyers..." and

FURTHERMORE, the Alaska Mortgage Bankers Association supports a regulatory ruling or legislative statute that would extend the intent of this statute to include non-payment of fees to a broker or other agent if it is known that the broker intends to pass that fee through to an unlicensed party.



Amber Hutchens, President
Alaska Mortgage Bankers Association
12/12/97

JOHN CARMAN

HomeState Mortgage

3201 C ST #105

ANCH, AK 99503

907 762 5290

F

Home Address

12120 RUSSELLWOOD CIR

ANCH, AK 99516

907 345 7229

CONCERNED ADVOCATES FOR REAL ESTATE SERVICES
P.O. Box 112342, Anchorage, Alaska 99511

FEB - 6 1998

February 6, 1998

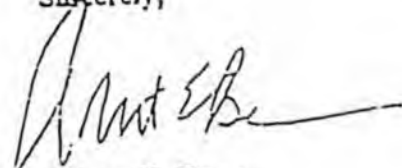
Rep. Norman Rokeberg
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

Re: House Bill 33, Real Estate Licensing

Dear Rep. Rokeberg:

The C.A.R.E.S. organization supports HB 33 and appreciates your continued efforts toward improving the accountability and regulation of the real estate industry in Alaska.

Sincerely,



Robert E. Baer

Powell Realty  **Better Homes**
inc.  and Gardens

9040 Glacier Highway, Juneau, AK 99801 TELEPHONE (907) 789-3888 FAX: (907) 789-7038

February 5, 1998

FEB - 5 1998

Representative Norman Rokeberg
Chairman, House Labor and Commerce Committee
Alaska State Legislature
Juneau, Alaska

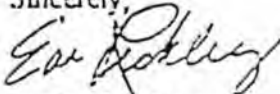
Dear Representative Rokeberg

I have been a full-time professional realtor with Powell Realty/ Better Homes and Gardens of Juneau for the past eight and a half years. I strongly support the current version of HB 33 and any refinements to improve the consumer protection it provides in the Alaska real estate market.

We Realtors are continuously upgrading our skills to insure that the practice of real estate is done professionally and ethically. Our interest is in protecting the public when we provide our services. We in turn need the kind of protection for our industry as well as consumers of our services that this legislation provides.

Thank you for your efforts to make it so.

Sincerely,



G. Eva Reckley
Realtor

copy: Members of the House Finance Committee:

Rep. Mark Hanley, Co-Chairman	Rep. Gene Theriault, Co-Chairman
Rep. Eldon Mulder, Vice Chairman	Rep. Gary Davis
Rep. Richard Foster	Rep. Pete Kelly
Rep. Vic Kohring	Rep. Terry Martin
Rep. John Davies	Rep. Ben Grussendorf
Rep. Carl Moses	

Powell Realty  **Better**
inc.  **Homes**
and Gardens

9040 Glacier Highway, Juneau, AK 99801 TELEPHONE (907) 789-3888
FAX (907) 789-7038

February 6th, 1998

Representative Norman Rokeberg
Chairman, House Labor and Commerce Committee
Alaska State Legislature
Juneau, Alaska


FEB - 6 1998

Dear Representative Rokeberg,

I am currently a full time Realtor at Powell Realty Better Homes and Gardens in Juneau, and have been for the past 3 1/2 years. It has been a very productive and successful career for me. I wish to express to you that I am in strong support of the current version of House Bill 33. I feel that it seeks to provide protection for our industry (The Alaska Real Estate Market)... This legislation is necessary for us to provide our services at the level of quality that we have thus far been able to provide.

I certainly appreciate your efforts in attempting to protect the public and in turn our industry with this legislation.

Sincerely,


Helen G. Trout
Realtor

Copy: Members of the House Finance Committee:

Rep. Mark Hanley, Co-Chairman	Rep. Gene Therriault, Co-Chairman
Rep. Eldon Mulder, Vice-Chairman	Rep. Gary Davis
Rep. Richard Foster	Rep. Pete Kelly
Rep. Vic Kohring	Rep. Terry Martin
Rep. John Davies	Rep. Ben Grussendorf
Rep. Carl Moses	

Author: powell@eagle.ptialaska.net (Janie Bee Powell) at CC2MHS1

Date: 2/5/98 3:33 PM

FEB - 6 1998

Priority: Normal

TO: Representative Norman Rokeberg at LAA_TRANS

CC: Representative Mark Hanley at LAA_HHAN, Representative Gene Therriault at LAA_TRANS,

Representative Eldon Mulder at LAA_TRANS, Representative Gary Davis at LAA_TRANS,

Representative Richard Foster at LAA_TRANS, Representative Pete Kelly at LAA_TRANS,

Representative Vic Kohring at LAA_TRANS, Representative Terry Martin at LAA_TRANS,

Representative John Davies at LAA_TRANS,

Representative_Ben_Grussendorf@legis.state.ak.us at CC2MHS1,

Representative_Carl_Moses@legis.state.ak.us at CC2MHS1

Subject: [Fwd: House Bill 33]

Janie Bee Powell

Powell Realty, Inc. BH&G

9040 Glacier Hwy.

Juneau, AK 99801

(907) 789-3888

X-Mozilla-Status: 0001

Message-ID: <34DA5894.5604@eagle.ptialaska.net>

Date: Thu, 05 Feb 1998 15:25:55 -0900

From: Janie Bee Powell <powell@eagle.ptialaska.net>

Organization: Powell Realty, Inc. BH&G

X-Mailer: Mozilla 2.0 (Win95; U)

MIME-Version: 1.0

To: Representative_Norman_Rokeberg@legis.state.ak.us

CC: Representative_Mark_Hanley@legis.state.ak.us,

Representative_Gene_Therriault@legis.state.ak.us,

Representative_Eldon_Mulder@legis.state.ak.us,

Representative_Gary_Davis@legis.state.ak.us,

Representative_Richard_Foster@legis.state.ak.us,

Representative_Pete_Kelly@legis.state.ak.us,

Representative_Vic_Kohring@legis.state.ak.us,

Representative_Terry_Martin@legis.state.ak.us,

Representative_John_Davies@legis.state.ak.us,

Representative_Ben_Grussendorf@legis.state.ak.us,

Representative_Carl_Moses@legis.state.ak.us

Subject: House Bill 33

Content-Type: text/plain; charset=us-ascii

Content-Transfer-Encoding: 7bit

As the Broker for Powell Realty, Inc. BH&G, Juneau, Alaska, I firmly support the current version of House Bill 33 (HB 33(L&C), Version 2).

Janie Bee Powell

Powell Realty  **Better**
inc. **Homes.**
and Gardens

9040 Glacier Highway, Juneau, AK 99801 TELEPHONE (907) 789-3888 FAX: (907) 789-7038

February 6, 1998

Representative Norman Rokeberg
Alaska State Legislature

FEB - 6 1998

Dear Representative Rokeberg,

I want to voice my support in favor of House Bill 33.

Thank you for your time.



Honey Bee Anderson
Sales Associate
Powell Realty Inc./Better Homes and Gardens

Author: explor@ptialaska.net (Dale Anderson) at CCNMS1
Date: 2/6/98 11:10 AM
Priority: Normal
TO: Representative Norman Rokeberg at LAA_TRANS
Subject: HB 33

FEB - 6 1998

I am a licensed real estate agent in the State of Alaska and want to thank you for carrying HB33. I fully support the bill. Thank you and let me know if there is anything I can do to help you further. Best regards,

Dale Anderson

Powell Realty, Inc

9040 Glacier Highway

Juneau, AK 99801

(907) 789-3888 (work)

(907) 789-1965 (home)

Admiralty Tours/Auke Lake B&B

(907) 789-1955 (phone)

(907) 790-3253 (fax)

explor@ptialaska.net (e-mail)

<http://www.ptialaska.net/-explor> (website)



FEB - 5 1998

To: Rep. Norman Rokeberg

From: Dutch Knight, Broker

Re: HB 33

I've been a fulltime Realtor for 7 years now and a broker for 4 years. HB 33 is an important bill that I believe deserves your support.

In short I believe that it protects the public and the real estate industry. Please support HB 33! If you have any questions please feel free to call me at 790-3305.

Failure to support HB 33 would be like letting the fox run loose in the chicken coop.

Without HB 33 more and more of the real estate and related services such as lending currently provided by local Alaskans will be sent out of state with a net result of lower incomes and reduced income for the State of Alaska and it's people. Please protect our future!

CC:

Rep Mark Hanley, Co Chairman	465-2418
Rep. Gene Theriault, Co-Chairman	465-3884
Rep. Eldon Mulder, Vice Chairman	465-3518
Rep. Richard Foster	465-3242
Rep. Pete Kelly	465-5241
Rep. Vic Kohring	465-3818
Rep. Terry Martin	465-2293
Rep. John Davies	465-3519
Rep. Ben Grussendorf	465-2278
Rep. Carl Moses	465-3445



TOTEM PROPERTIES, INC.



FEB - 5 1998

Rep. Norman Rokeberg
Ak State Legislature
Re: HB 33

February 5, 1998

Dear sir:

I am very much in favor of House Bill 33.

Respectfully,

Janet Argevitch, Sales Associate
Totem Properties, Inc.



TOTEM

PROPERTIES, INC.



FEB - 5 1998

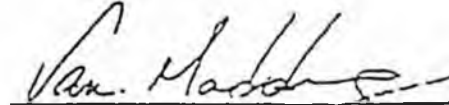
Rep. Norman Rokeberg
Ak State Legislature
Re: HB 33

February 5, 1998

Dear sir:

I am very much in favor of House Bill 33.

Respectfully,



Van Madding, Sales Associate
Totem Properties, Inc.



TOTEM PROPERTIES, INC.



FEB - 5 1998

Rep. Norman Rokaherg
Ak State Legislature
Re: HB 33

February 5, 1998

Dear sir:

I am very much in favor of House Bill 33.

Respectfully,

Gaby Lawie, Sales Associate
Totem Properties, Inc.



TOTEM

PROPERTIES, INC



FEB - 5 1998

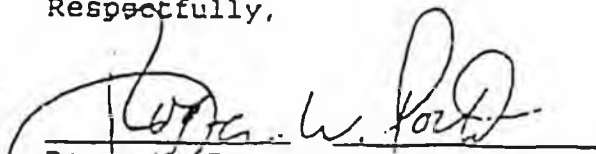
Rep. Norman Rokeberg
Ak State Legislature
Re: HB 33

February 5, 1998

Dear sir:

I am very much in favor of House Bill 33.

Respectfully,



Roger W. Porto, Broker
Totem Properties, Inc.



TOTEM

PROPERTIES, INC.



FEB - 5 1998

Rep. Norman Rokeberg
Ak State Legislature
Re: HB 33

February 5, 1998

Dear sir:

I am very much in favor of House Bill 33.

Respectfully,

Mike Ran, Associate Broker
Totem Properties, Inc.



TOTEM Realty Inc.

Bus: (907) 272-0571 • Fax: (907) 274-9616

FEB - 6 1998

February 6, 1998

Rep. Norman Rokeberg
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

Re: House Bill 33, Real Estate Licensing

Dear Rep. Rokeberg:

I support the goals of HB 33 and appreciate your continued efforts toward improving the accountability and regulation of the real estate industry in Alaska.

Sincerely,

Robert E. Baer





Since 1953

FEB - 6 1998

February 6, 1998

3201 C Street
Suite 200
Anchorage, Alaska
99503-3994

Bus. (907) 563-5500
Fax (907) 762-3189

Dear Representative Norman Rokeberg:

I believe real estate law has come a long way in the last ten years. I see no need to set it back twenty. I am in favor of House Bill 33. If HB 33 does not pass then it will be the Alaskan consumer that will ultimately pay the price. Thank you very much for your work and time on this most important issue.

Sincerely,

A handwritten signature in cursive script that reads 'Manuel Escobedo Jr.'.

Manuel Escobedo
Jack White Real Estate



701 E PARKS HWY, SUITE 104
WASILLA, ALASKA 99654
907-373-1555 PHONE
907-373-1444 FAX

FAX

DATE: 2/6/98

TO: NORM ROKEBERG
HOUSE FINANCE COMMITTEE

FAX NO: 465 2040

FROM: CAROL J. JENSEN GRI, CRB

NO. PAGES: 1

FEB - 6 1998

I AM IN SUPPORT OF HB33 WRITTEN TESTIMONY TO FOLLOW NEXT WEEK.

Carol J. Jensen
Assoc. Partner

Author: trevor@mail.ptialaska.net (Trevor Roehl) at CC2MHS1

FEB - 6 1998

Date: 2/6/98 11:53 AM

Priority: Normal

TO: Representative Norman Rokeberg at LAA_TRANS

CC: Representative Vic Kohring at LAA_TRANS, Representative Terry Martin at LAA_TRANS,
Representative Richard Foster at LAA_TRANS, Representative Pete Kelly at LAA_TRANS,
Representative Mark Hanley at LAA_HHAN, Representative John Davies at LAA_TRANS,
Representative Gene Therriault at LAA_HTER, Representative Gary Davis at LAA_TRANS,
Representative Eldon Mulder at LAA_TRANS,
Representative_Norman_Rokeberg@legis.state.ak.us at CC2MHS1,
Representative_Eldon_Mulder@legis.state.ak.us at CC2MHS1,
Representative_Carl_Moses@legis.state.ak.us at CC2MHS1,
Representative_Ben_Grussendorff@legis.state.ak.us at CC2MHS1

Subject: HB 33

I have been a licensed Real Estate Agent in the State of Alaska since February of 1995. I support HB 33, Real Estate Licensing, and urge you to expeditiously review and approve it.

Thank you

Trevor Roehl
Sales Associate



CENTURY 21 All Star, REALTORS

8585 OLD DAIRY RD.
JUNEAU, AK 99801

100-20000
100-20000
100-20000
100-20000
100-20000

FEB - 6 1998

Attention: Rep. NORMAN ROKEBURG

Date: 2/6/98

From: Sue Bigelow

Number of pages: 1

I am a fulltime REALTOR working for CENTURY 21, All
Star, REALTORS. I Support bill EB 33 and hope you
will do the same

Thank you.

CC:

Rep. Mark Henley

Rep. Gene Theriault

Rep. Eldon Mulder

Rep. Richard Foster

Rep. Pete Kelly

Rep. Vic Kohring

Rep. Terry Martin

Rep. John Davies

Rep. Ben Grussendorf

Rep. Carl Moses

CENTURY 21 All Star, REALTORS

8585 Old Dairy Road

Juneau, AK 99801

Phone (790)790-4343 or 790-4800



All Star, REALTORS®
6585 Old Dairy Rd., Ste 103
Juneau, Alaska 99801
Business (907) 790-4848
Fax (907) 790-4800
akrealty@alaska.net

Feb 6, 98

FEB - 6 1998

6188

To Whom it may concern.

My name is Walt Weary
and have been an agent
with Century 21 since May of
1995.

I support bill 33!

Thank you
Walt Weary



CENTURY 21 ALL STAR, REALTORS

8585 OLD DAIRY RD.
JUNEAU, AK 99801

Member
of
National
Association
of
Real Estate
Brokers

Attention: Rep. NORMAN ROKEBURG

Date: 2/6/98

From: Terry Whitebeck

Number of pages: 1

FEB - 6 1998

I have been a Real Estate Agent since 1986. I opened
my own office in 1991. I am the Broker / Owner of
the CENTURY 21 All Star, REALTORS office in Juneau, AK.
I Wholeheartedly support HB 33 and sincerely hope you
will too....

Thank You

CENTURY 21 All Star, REALTORS

8585 Old Dairy Road
Juneau, AK 99801
Phone (790)790-4848 or 790-4800



FEB - 6 1998

WHITING REALTY

2015 JORDAN AVENUE
JUNEAU AK 99901
PHONE (907) 788-8566
FAX (907) 788-8440

February 6, 1998

TO: Representative Norman Rokeberg
Alaska State Legislature
Juneau, Alaska 99801

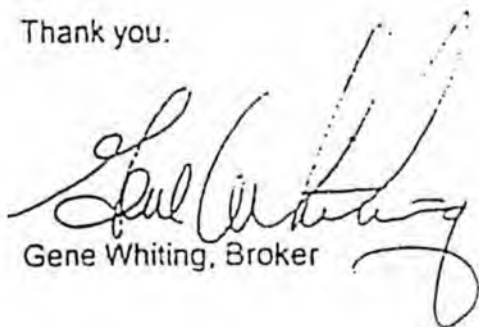
Via Fax Transmission to: 907 - 465 - 2040

RE: House Bill 33

Dear Representative Rokeberg,

I am very much in favor of House Bill 33. I appreciate your efforts to promote Alaskan industry.

Thank you.



Gene Whiting, Broker

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

TONY KNOWLES, GOVERNOR

PLEASE REPLY TO:

- 1031 WEST 4TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 269-5100
FAX: (907) 276-3697
- KEY BANK BUILDING
100 CUSHMAN ST., SUITE 400
FAIRBANKS, ALASKA 99701-4679
PHONE: (907) 451-2811
FAX: (907) 451-2846
- P.O. BOX 110300-DIMOND COURT HOUSE
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-6735

December 18, 1997

The Honorable Norman Rokeberg
Chairman, House Labor & Commerce Committee
716 West Fourth Ave.
Anchorage, AK 99501

Dear Representative Rokeberg:

Attorney General Bruce Botelho has asked me to reply to your letter of October 23, 1997, regarding 12 AAC 64.130(4), a regulation adopted by the Alaska Real Estate Commission. I attended a Commission meeting in Anchorage on December 4, 1997, where the Commission heard considerable testimony from real estate licensees regarding several aspects of the Commission's regulations. At that meeting the Commission directed its staff to issue a public notice of proposed changes to its regulations. Among other things, it appears that the Commission now intends to repeal the present language of 12 AAC 64.130(4) and instead impose a requirement that a licensed broker must disclose, in writing, to the broker's principal in a real estate sales transaction any referral fee paid to another broker in connection with that transaction.

AS 08.88.401(b)(1), Prohibited Conduct, provides that a person (except for a broker licensed in another state) "who is not a real estate broker licensed in this state may not accept a fee or a commission for performance of an act for which a license is required . . ." Violation of this prohibition is a class A misdemeanor under AS 08.88.401(d). The conduct prohibited is that of the unlicensed person; existing state statutes do not explicitly address the payment of "rebates" or fees by licensees. Under AS 08.88.161(5), a person, corporation, partnership or other entity (unless licensed) may not "assist in or direct the procuring of prospective buyers or the negotiation of a transaction which results or is calculated to result in the sale, exchange, rent, lease, auction, or purchase of real estate." Again, the prohibition is upon the conduct of the unlicensed person or entity, not on the payment of rebates or the sharing of commissions by licensees.

Effective June 28, 1997, 12 AAC 64.130(4) allows a licensee to be disciplined for "any payment or receipt of any rebate or compensation from any licensee or any unlicensed person, entity, or association in a real estate transaction without disclosing the specific names and amounts, in writing, to the principals of that transaction. . ." (emphasis added). The regulation is a consumer

protection measure that requires a licensee to disclose to his principal in that transaction the payment or receipt by the licensee of any rebate or compensation to or from anyone, regardless of whether the other party is a real estate licensee or an unlicensed person. (Although the present version of 12 AAC 64.130(4) took effect in June of this year, the amendment that revised that subsection from a prohibition against paying any rebate or commission in violation of AS 08.88 to a disclosure requirement was adopted by the Commission in 1993, and took effect on July 16, 1994.)

12 AAC 64.130(4) does not in any way change the provisions of AS 08.88.161 regarding the acts for which a real estate license is required in this state. Obviously, the Real Estate Commission does not have the power to, by regulation, "legalize" conduct which the legislature has declared to be illegal. We do understand your point, however, that the broad scope of the disclosure requirement in present 12 AAC 64.130(4) appears to have led to much confusion among Alaska's real estate professionals.

Your letter also raised the larger issue of the legality of a licensee paying a referral fee or rebate to, or sharing a portion of his or her commission with, "home relocation companies" or "affinity groups" (you give COSTCO as an example). You indicate that you have received a legal opinion from your legislative counsel that such fees or rebates are prohibited. I am aware of two recent memorandums from the Legal Services Division of the Legislative Affairs Agency regarding this issue. In a memo dated October 23, 1997, Director Tamara Cook expresses her opinion that present 12 AAC 64.130(4) does not conflict with AS 08.88.161(5), as the regulation merely establishes a disclosure requirement. It does not (nor could it) grant a licensee authority to perform acts prohibited under state statutes. In a memorandum dated December 3, 1997, Legislative Counsel Terri Lauterbach expressed her opinion, based on the requestor's oral description of the arrangement, that (unless it has a real estate license) an entity such as COSTCO may violate state law if it obtains a rebate from a real estate licensee in connection with a real estate transaction. She did not believe the broker who paid the rebate would be guilty of an offense if he or she disclosed the payment. (I note, however, that present 12 AAC 64.130(7) would allow the imposition of discipline upon a licensee for "paying referral fees, sharing commissions, or otherwise compensating a person who is prohibited from receiving compensation under AS 08.88.401(b)".)

AS 08.88.161, describing the conduct for which a license is required, was originally adopted in 1964; it was most recently amended in 1974. At that time, many current commercial entities such as "relocation companies" contracting with national corporations and "affinity groups" like nationwide buyers' clubs or direct-sales companies did not exist, certainly not in their present form. Whether a particular business arrangement violates state law, depends upon the facts of that arrangement. A national corporation or organization may "employ" an Alaska-licensed real estate broker to handle real estate transactions in Alaska, for example; AS 08.88.171(a). Similarly, a broker referral system offered as a courtesy or as a benefit of membership by an "affinity group" to its members, for which no "fee or commission" is accepted, would not appear to fall within the conduct prohibited in AS 08.88.401.

The Honorable Norman Rokeberg
Chairman, House Labor & Commerce Committee

December 18, 1997
Page 3

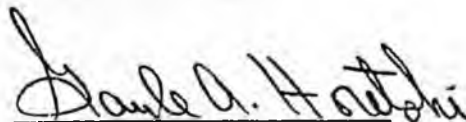
I note that, in the past, the Alaska Supreme Court has narrowly construed the scope of the regulatory authority conferred upon the Commission by the legislature. Warner v. State, 819 P. 2d 28 (Alaska 1991). Also, as the violation of AS 08.88.401 is a misdemeanor criminal offense, any ambiguities in its language would be construed in favor of the accused and against the prosecution.

In your letter you express your view that rebates to members of "affinity groups" would "have an extraordinary negative impact" on commerce in the state. Such rebates have been explicitly outlawed in some other states; see, e.g., Miss. Code Ann. Sec. 73-35-21(1)(j). Whether to prohibit recently-developed commercial arrangements that may lower the commission costs to the home buyer or seller, or provide rebates in the form of frequent flyer coupons or "credits" that may be applied by members toward the purchase of consumer goods, are matters of public policy. The legislature is in the best position to weigh any dangers that such arrangements might present to the public against any benefits to the state's residents or to its economy that might result.

Sincerely,

BRUCE M. BOTELHO
ATTORNEY GENERAL

By:



Gayle A. Horetzki
Assistant Attorney General

GAH:mrj

cc: Governor Knowles
Real Estate Commission

April 8, 1998

Senator Loren Leman
State Capitol
Juneau, AK 99801

Thank you for meeting with me on March 26, 1998. At that time you indicated that possibly an exception for affinity groups would be appropriate since there were already numerous exceptions allowed. We have done an analysis of the exemptions in HB33 as follows:

Section 900 identifies numerous categories of persons who are exempt from the licensing requirements of AS 08.88. Although those falling within any one category are not necessarily in consecutive order, they fall into three distinct groups, as follows:

The first category is **PROPERTY OWNERS**. This includes the actual holders of title and relatives that might be acting for them under a power of attorney (sub-sections 1 & 19); resident managers (sub-section 10); and a unit owner/member in a self-managed community association project or the developer/owner of a community association project prior to formal organization of the homeowner's association (sub-sections 17-18)

The second group might be categorized as **LEGAL OR PROFESSIONAL EXEMPTIONS**; it includes persons acting under a power of attorney (sub-sections 2 and 19); attorneys performing legal duties; public officials conducting official duties; persons acting as receivers, trustees, administrators, executors, or guardians; persons acting under a court order; persons acting under authority of a will or trust instrument; and persons dealing in mining rights (sub-sections 3-8); a mobile home dealer licensed under AS 08.67 (sub-section 20);

The third category are **PEOPLE WHO ASSIST IN RELATED TASKS**, but the tasks they are performing are not those for which a license is required. This includes a bookkeeper or accountant performing accounting functions; a secretary/receptionist in a real estate office accepting rents delivered to the office and providing a written receipt for same; tradesmen or vendors performing maintenance and repair functions; a person providing courier type delivery services; a person assisting only by carrying out administrative, clerical or maintenance tasks (sub-sections 10-15 and 21).

Only sub-section 9 bears any similarity to the persons seeking payment by being identified with an "affinity group" and that similarity is limited to the fact that most affinity groups are incorporated businesses. According to sub-section 9, even corporation employees are not exempt if their involvement in a real estate transaction is considered a vocation or their compensation is directly related to the value of the subject property. Both of these conditions would nullify the exemption as stated in this sub-section, and therefore their employees would need to be licensed and operate in compliance with AS 08.88.

Everyone in the first three groups is accountable, either to a court, to a client/principal and the licensing authority, or to an employer. If affinity groups are included with the exemptions, they would be outside the jurisdiction of the Commission and accountable to no one. The Commission's primary purpose of protecting the public can be better served if their activities are subject to the disclosures and accountability required of real estate licensees.

Yours truly



Ruth Blackwell, Chair
Real Estate Commission

cc: Annette Kreitzer
Rep. Norman Rokeberg

HB

35

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STATE OF ALASKA

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Mail Stop 3101

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Juneau, Alaska 99801-2105

Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

Senate Rules Committee	5/5/97	3:00 p.m.
Senate Rules Committee	5/12/97	3:22 p.m.

REPRESENTATIVE ALAN AUSTERMAN Alaska State Legislature

P.O. Box 2368, Kodiak, Alaska 99615 (907) 486-5930 • Session: State Capitol, Juneau, Alaska 99801 465-2487

MEMORANDUM

DATE: May 1, 1997

TO: Senator Loren Leman, Acting Chair
Senate Rules Committee

FROM: Representative Alan Austerman, Chair
House Special Committee on Fisheries 

SUBJ: HOUSE BILL NO. 35

I respectfully request that the Senate Rules Committee schedule HB 35 for a Senate Floor vote at your earliest convenience.

This bill extends the termination date of the Alaska Regional Economic Assistance Program.

The referral packet is attached for your information.

Please contact Cliff Stone of my staff at 6588 as needed.

Thank you for your consideration.

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act extending the termination date of BRU: Community & Economic Development
the Alaska regional economic assistance ... Component: Community & Economic Development
 Sponsor: Rep. Austerman
 Requestor: State Finance COMPONENT SERIAL NO. 2151

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE: _____

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY97) impact \$ None

ANALYSIS: (Attach a separate page if necessary)

This bill continues the Alaska Regional Development Organization (ARDOR) program for three more years (FY98-00). Ineragency receipts in the amount of 666.4 from the Alaska Industrial Development and Export Authority will fund the program in FY98 and until the ARDOR program sunsets as provided in the bill. This amount is requested in the FY98 Governor's budget request. There are 12 ARDORs covering most regions of the State.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Division of Administrative Services Date: 5/1/97
 Approved by Commissioner: *Mike Irwin* Date: 5/1/97
 Agency: Mike Irwin, Dept. of Community & Regional Affairs

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REPRESENTATIVE ALAN AUSTERMAN Alaska State Legislature

P.O. Box 2368, Kodiak, Alaska 99615 (907) 486-5930 • Session: State Capitol, Juneau, Alaska 99801 465-2487

SPONSOR STATEMENT - HB 35

In 1988 the Alaska Regional Development Organizations program was created in statute. Commonly referred to as ARDOR's, they are private, nonprofit corporations formed by local initiative to promote private sector economic development within their designated regions.

The statutory authority for the program, previously AS 44.33.026, is now found in AS 44.47.900. The program was transferred by Executive Order 93, from the Department of Commerce and Economic Development to the Department of Community & Regional Affairs and is under the administrative oversight of the Division of Municipal & Regional Assistance.

The ARDOR program has led to the formation of 11 regional development organizations such as the Southwest Alaska Municipal Conference, the Southeast Conference, the Lower Kuskokwim Economic Development Council and the Anchorage Economic Development Corporation. Nearly two hundred representatives of local political, social and economic interests, who serve on ARDOR boards of directors, are working together to lead their regions to greater economic self-sufficiency.

The ARDOR grants, while not particularly large, are not tied to specific projects and so may be used for operating expenses and to leverage dollars from other sources. These are the hardest kind of dollars to find and are, therefore, extremely valuable to the organizations. Millions of additional dollars have been leveraged from federal, private and other funding sources.

ARDOR's are achieving significant success in sustainable development through the establishment of production and marketing cooperatives, improved access to capital, development and marketing of tourism destinations, technical assistance and training for local businesses and entrepreneurs, support to value added production and proactive involvement in locally initiated economic development projects.

Another important benefit afforded ARDOR's by statute is the ability of state agencies to enter into contracts, with them being exempt from a competitive procurement process. This has proven beneficial to ARDOR's, who are able to provide greater local expertise in service delivery or project implementation, and to state agencies who through the ARDOR's, are able to deliver services or projects more efficiently and with less administrative burden.

Sound economic development relies heavily on solid partnerships between the public and private sectors. The ARDOR's were conceived to facilitate this kind of partnering and to bring a regional perspective to the discussion of economic development issues.

The original legislation had a sunset clause that ended the program in 1993, but was extended until the end of fiscal year 1997. I believe it is in the best interest of the State of Alaska to continue the ARDOR program to insure the ongoing economic viability of Alaska's various regions.

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

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Article 9A. Regional Economic Assistance Program.

Section

900. Alaska regional economic assistance program

Effective dates. — Section 8, E.O. No. 93, makes this article effective July 1, 1996.

Sec. 44.47.900. Alaska regional economic assistance program. (a) The department shall

(1) encourage the formation of regional development organizations by providing assistance in forming organizations to interested individuals, including information on how to qualify and apply for regional development grants and federal funding under 42 U.S.C. 3121 — 3246 (Public Works and Economic Development Act of 1965), as amended;

(2) assist an interested individual in establishing boundaries for a proposed organization to ensure that the region

(A) is of sufficient geographic size and contains a large enough population to form an economically viable unit with shared interests, resources, traditions, and goals;

(B) contains at least one municipality that serves as a regional center; and

(C) contains the entire area of each municipality included in the region;

(3) gather information about regional economic issues, international trade, and tourism from organizations;

(4) serve as liaison between organizations and other state agencies and encourage other agencies to make resources available to help accomplish goals of the organizations;

(5) assist each organization to

(A) provide services designed to encourage economic development to local communities and businesses;

(B) collect and distribute economic information relevant to the region;

(C) participate in state marketing campaigns and join state trade missions that are relevant to the region; and

(D) develop and implement strategies to attract new industry, expand international trade opportunities, and encourage tourism within the region.

(b) Subject to (c) of this section, the department may make regional development grants to organizations for projects the department determines will be of value in encouraging economic development. During a fiscal year the department may make no more than 15 grants and may only make grants to one organization from a particular region. An organization that is designated an economic development district under 42 U.S.C. 3171 qualifies for grants under this subsection. The department shall by regulation adopt procedures for applying for regional development grants, including application deadlines. The department may by regulation establish additional grant eligibility requirements.

(c) To qualify for a grant, a regional development organization must match the grant by providing an amount of money from nonstate sources. The department shall establish by regulation a formula that determines the amount of the match required under this subsection based upon the capability of each organization to generate money from nonstate sources. The amount of match required may not exceed the amount of grant money and may not be less than 20 percent of the grant. The total amount of grant money provided to an organization during a fiscal year may not exceed \$100,000.

(d) There is established in the department the regional development fund consisting of appropriations to the fund. Money from the fund may be used only for regional development grants

(e) In this section, "regional development organization" or "organization" means a nonprofit organization or nonprofit corporation formed to encourage economic development within a particular region of the state that includes the entire area of each municipality within that region and that has a board of directors that represents the region's economic, political, and social interests. (E.O. No. 93 § 4 (1996))

Repeal of section. — Under § 3, ch. 94, SLA 1988, as amended by § 1, ch. 35, SLA 1992 and § 6, E.O. 93, this section is repealed effective July 1, 1997.

Cross references. — For transitional provisions relating to the 1996 transfer of responsibility for the

Alaska regional economic assistance program from the Department of Commerce and Economic Development to the Department of Community and Regional Affairs, see § 7, E.O. 93, in the Executive Orders pamphlet.

Article 10. General Provisions

Section
980. Regulations
998. Definitions

Sec. 44.47.980. Regulations. The department may adopt regulations in accordance with AS 44.62 (Administrative Procedure Act) to carry out the purposes of this chapter. (§ 2 ch 200 SDA 1972)

Revisor's notes. — Formerly AS 44.47.160. Renumbered in 1980.

Sec. 44.47.998. Definitions. In this chapter

- (1) "commissioner" means the commissioner of community and regional affairs;
- (2) "community" means home rule cities and boroughs, cities and boroughs of any class, and unorganized boroughs and villages that are social units;
- (3) "department" means the Department of Community and Regional Affairs;
- (4) "region" means an area larger than a community, or including all or part of more than one community, but sufficiently integrated that it may be treated as a unit for administration of particular services. (§ 2 ch 200 SLA 1972)

Revisor's notes. — Formerly AS 44.47.170. Renumbered in 1980

Chapter 50. Notaries Public.

Section
10. Appointment and commission
20. Qualifications
30. Term of office
40. Fees
60. Duties
70. Presence and identification required
80. Seal
90. Protest of bill or note
100. Return of papers to lieutenant governor
110. Application of Administrative Procedure Act to revocation of notary commission

Section
120. Bond
130. Filing oath and bond
140. Disposition of bond
150. Copy of bond as evidence
160. Misconduct or neglect
170. State employee: as notaries
180. Postmasters as notaries
190. Savings clause

Revisor's notes. — In 1971 "lieutenant governor" was substituted for "secretary of state" in this chapter to conform with the 1970 amendment to the state constitution

Cross references. — For provisions governing oaths, acknowledgments and related matters, see AS 09.63.

1/97

ALASKA REGIONAL DEVELOPMENT ORGANIZATIONS

ANCHORAGE ECONOMIC DEVELOPMENT CORPORATION

Designation Date: April 11, 1989
Max Lowe, Chairman
Patricia DeMarco, President
550 West 7th Avenue, Suite 1400
Anchorage, AK 99501
Phone: 258-3700 Fax: 258-6646
AEDC @ alaska.net

ARCTIC DEVELOPMENT COUNCIL

Designation Date: March 1, 1991
David Baker, President
Don Schindler, Executive Director
P.O. Box 1353
Barrow, AK 99723
Phone: 852-4146 Fax: 852-2683

COPPER VALLEY ECONOMIC DEVELOPMENT COUNCIL

Designation Date: November 1, 1990
Carol Neeley, President
Donna Tollman, Executive Director
P.O. Box 9
Glennallen, AK 99588
Phone: 822-5001 Fax: 822-5009

KENAI PENINSULA BOROUGH ECONOMIC DEVELOPMENT DISTRICT

Designation Date: February 22, 1989
James Elson, Chairman
Stan Steadman, Executive Director
P.O. Box 3029
Kenai, AK 99611
Phone: 283-3335 Fax: 283-3913

LOWER KUSKOKWIM ECONOMIC DEVELOPMENT COUNCIL

Designation Date: September 17, 1991
Andrew Guy, Chairman
Carl Berger, Executive Director
P.O. Box 2021
Bethel, AK 99559
Phone: 543-5967 Fax: 543-2255

LOWER YUKON ECONOMIC DEVELOPMENT COUNCIL

Designation Date: November 1, 1991
Larry Lujan, President
Susan Anderson, Executive Director
P.O. Box 2021
Anchorage, AK 99524
Phone: 271-2424 Fax: 271-3951

MAT-SU RESOURCE CONSERVATION AND DEVELOPMENT, INC.

Designation Date: November 1, 1993
Ted Smith, President
Douglas Smith, Executive Director
351 West Parks Highway, Suite 100
Wasilla, AK 99654
Phone: 373-1062 Fax: 373-1064

NORTHWEST ARCTIC BOROUGH ECONOMIC DEVELOPMENT COMMISSION

Designation Date: June 28, 1989
Charlie Curtis, Chairman
Jeff Hadley, Executive Director
P.O. Box 1110
Kotzebue, AK 99752
Phone: 442-2500 Fax: 442-2027

PRINCE WILLIAM SOUND ECONOMIC DEVELOPMENT COUNCIL

Designation Date: November 1, 1991
Jackie Robb, President
~~Paul Roelmann~~, Executive Director
P.O. Box 2353
Valdez, AK 99686
Phone: 835-3775 Fax: 835-5770
James Winchester

SOUTHEAST CONFERENCE

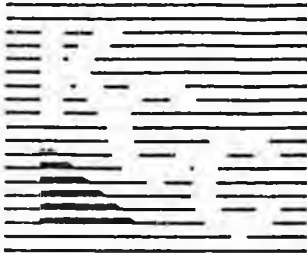
Designation Date: April 14, 1989
J. Allan MacKinnon, President
Berne Miller, Executive Director
124 West Fifth Street
Juneau, AK 99801
Phone: 463-3445 Fax: 463-4425

SOUTHWEST ALASKA MUNICIPAL CONFERENCE

Designation Date: April 6, 1989
Alice Ruby, President
Mary Stadum, Executive Director
3300 Arctic Boulevard, Suite 203
Anchorage, AK 99503
Phone: 562-7380 Fax: 562-0438

FY 96 Alaska Regional Development Organization Funding Sources to Date - March 1996

	Anchorage Economic Development Corporation	Arctic Development Council	Copper Valley Economic Development Council	Kenai Peninsula Borough Economic Development District	Lower Kuskokwim Economic Development Council	Lower Yukon Economic Development Council	Mat-Su Resource Conservation and Development, Inc.	Northwest Arctic Borough Economic Development Commission	Prince William Sound Economic Development Council	Southeast Conference	Southwest Alaska Municipal Conference	Funding Source Totals
Federal Funds												
Commerce - EDA				108.9							65.0	173.9
Agriculture - USFS				17.6								17.6
Agriculture - PUS			487.0									487.0
Agriculture - NRCS				12.8	7.0	10.0	136.4			15.1		181.3
Agriculture - RECD					2.5	97.3						99.8
Other		18.0				21.7		15.0				54.7
State Funds												
DCED - ARDOR	55.0	55.0	55.0	55.0	55.0	55.0	55.0	55.0	55.0	55.0	55.0	605.0
DCED - Other				12.9							5.5	18.4
CCRA			60.0									60.0
H&HS				37.9								37.9
Local Government	370.0						10.0	155.7				535.7
Membership Fees							.8	35.2	48.5	40.0	40.0	124.5
Local Communities		150.0	50.0		2.0	3.0						205.0
Private Sector	300.0	33.0	.4	3.5		2.0				9.0	347.9	
Fees for Services	255.0	868.0	470.4	7.2	83.0		1,489.6			4.5	3,177.7	
Private Sector Grants			27.5							40.0	2.5	70.0
In-Kind Contributions	100.0		2	5.0			60.0			9.0	174.2	
Interest Income	10.0		.4	23.0	1.1	1.2				2.0	1.2	38.9
Other	2.0			93.5	4.0		5.5	22.5	48.0		175.5	
BUDGET TOTALS	1,092.0	974.0	753.0	909.5	85.3	270.2	207.2	285.7	1,585.3	183.1	239.7	6,585.0



**KODIAK
CHAMBER
OF COMMERCE**

File
HB 35

A

P.O. Box 1485, Kodiak, Alaska 99615

(907) 486-5557

FAX: (907) 486-7605

February 17, 1997

Honorable Tony Knowles
Governor
State of Alaska
P.O. Box 110001
Juneau, Alaska 99811-0001

RECEIVED

FEB 21 1997

Ans'd.....

Dear Governor Knowles,

Enclosed please find Kodiak Chamber of Commerce resolution 97-02-01 in support of continuation of the Alaska Regional Development Organizations (ARDOR'S) program. This resolution was passed and approved by the Board of Directors of the Kodiak Chamber of Commerce at its regular Board meeting on January 27, 1997. The Board firmly believes in this cooperative regional economic development model. It has been a successful program in providing an arena where regions can work on issues of common interest.

As a member of the Southwest Alaska Municipal Conference (SWAMC), we have first hand knowledge of the power of regional collaboration and cooperation on issues facing our region. We have participated with SWAMC on a number of projects including support for the Taiwanese delegation that visited southwest Alaska this past summer.

We support the passage of HB 35 which extends the sunset clause on the ARDOR program. The Board of Directors urges you to add your support to the continuation of the ARDOR program and the positive work that has come from the regional ARDOR'S.

Your careful attention and thoughtful consideration of this request for support is genuinely appreciated.

Yours in economic prosperity,

Tom Merriman
Tom Merriman VEC
Vice President

- cc: Senator Jerry Mackie, Chair, Community and Regional Affairs Committee
- Senator Gary Wilken, Vice Chair, Community and Regional Affairs Committee
- Senator Drue Pearce, Co-Chair, Finance Committee
- Senator Bert Sharp, Co-Chair, Finance Committee
- Representative Alan Austerman
- Representative Ivan Ivan, Chair, Community and Regional Affairs Committee
- Representative Mark Hanley, Co-Chair, Finance Committee
- Representative Gene Therriault, Co-Chair, Finance Committee

02 03 07 15:00 0907 0620103 50 SA WEST CONF 002 001

SOUTHWEST ALASKA
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Anchorage, Alaska 99503
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Fax (907) 562-0438

RESOLUTION 97-06

**A RESOLUTION URGING FULL SUPPORT FOR HOUSE BILL 35,
EXTENDING THE TERMINATION DATE OF THE
ALASKA REGIONAL ECONOMIC ASSISTANCE PROGRAM**

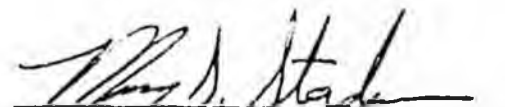
- WHEREAS,** among the most successful strategies for sustainable economic development are those that support the greatest participation at the local and regional levels; and
- WHEREAS,** the Alaska Regional Development Organizations (ARDORs) were established by state statute for the express purpose of fostering local economic development capacity and implementing locally-conceived economic development strategies; and
- WHEREAS,** since the inception of the ARDOR program, significant achievements have been realized by the ARDORs which lay the foundation for greater local leadership and responsibility for economic development; and
- WHEREAS,** as an ARDOR, the Southwest Alaska Municipal Conference has assisted Southwest communities in (1) stabilizing their economies through supporting fisheries policies, such as the CDQ program, (2) fostering economic development through tourism and small business development and training, (3) supporting and helping to expand the Alaska Marine Highway Service and intra-regional transportation in Southwest Alaska, and (4) helping communities address solid waste management and other environmental issues; and
- WHEREAS,** House Bill 35 will extend the termination date of the ARDOR program from July 1, 1997 until July 1, 2000.

NOW, THEREFORE BE IT RESOLVED by the Southwest Alaska Municipal Conference that the Alaska State Legislature is urged to support and pass House Bill 35, extending the termination date of the ARDOR program to July 1, 2000.

PASSED AND APPROVED BY THE SOUTHWEST ALASKA MUNICIPAL CONFERENCE THIS
1st DAY OF FEBRUARY, 1997.



Alice J. Ruby, President



Mary S. Stadum, Executive Director

SOUTHWEST ALASKA
MUNICIPAL
CONFERENCE



3300 Arctic Boulevard, Suite 203
Anchorage, Alaska 99503
Phone (907) 562-7380
Fax (907) 562-0438

RESOLUTION 96-20

A RESOLUTION URGING FULL SUPPORT FOR THE ALASKA REGIONAL DEVELOPMENT ORGANIZATION (ARDOR) PROGRAM

- WHEREAS,** it is well-recognized by both the public and private sectors that among Alaska's greatest challenges is the expansion and diversification of its undeveloped economy; and
- WHEREAS,** among the most successful strategies for sustainable economic development are those that support the greatest participation at the local and regional levels; and
- WHEREAS,** the Alaska Regional Development Organizations (ARDORs) were established by state statute for the express purpose of fostering local economic development capacity and implementing locally-conceived economic development strategies; and
- WHEREAS,** since the inception of the ARDOR program significant achievements have been realized by the ARDORs which lay the foundation for greater local leadership and responsibility for economic development; and
- WHEREAS,** as an ARDOR, the Southwest Alaska Municipal Conference (SWAMC) provides the structure for a membership organization that speaks with a collective voice on issues important to Southwest Alaska communities; and
- WHEREAS,** SWAMC helps promote economic opportunities to improve the quality of life and influences long-term, responsible development;
- WHEREAS,** SWAMC has assisted Southwest Alaska communities in (1) stabilizing their economies through supporting fisheries policies, such as the CDQ program, (2) fostering economic development through tourism and small business development and training, (3) supporting and helping to expand the Alaska Marine Highway Service and intra-regional transportation in Southwest Alaska, and (4) helping communities address solid waste management and other environmental issues; and
- WHEREAS,** the ARDOR program will sunset July 1, 1997 unless reauthorized by the Legislature.

NOW, THEREFORE, BE IT RESOLVED by the Southwest Alaska Municipal Conference that the Knowles Administration and the Alaska State Legislature are urged to fully support legislation authorizing the continuation of, and funding for, the ARDOR program for an additional five years.



FEBRUARY 4, 1997

REP. IVAN M. IVAN
ALASKA STATE LEGISLATURE
JUNEAU, ALASKA FAX: 465-4589

DEAR REP. IVAN:

HB 35: ARDOR REAUTHORIZATION
HEARING, WEDS. FEB 5, 1997

I UNDERSTAND THAT THE HOUSE COMMITTEE ON COMMUNITY & REGIONAL AFFAIRS, WHICH YOU CHAIR, WILL BE HOLDING HEARINGS TOMORROW ON HB 35, WHICH SEEKS TO REAUTHORIZE OUR PROGRAM FOR AN ADDITIONAL THREE YEARS.

I WILL BE IN EEK, MAKING A PRESENTATION ON SMALL BUSINESS AT THE HIGH SCHOOL AND WORKING WITH THE TRIBAL ADMINISTRATOR TO FINALIZE A PROPOSAL FOR FUNDING THAT IS DUE NEXT WEEK, SO WILL PROBABLY BE UNABLE TO PARTICIPATE IN YOUR HEARING FROM THERE

AS THE VICE CHAIRMAN OF THE LOWER KUSKOKWIM ECONOMIC DEVELOPMENT COUNCIL, I'M SURE YOU ARE AWARE OF THE CONTINUING NEED FOR ECONOMIC ASSISTANCE THROUGHOUT OUR REGION. WITHOUT THE ARDORS, THERE WOULD BE LITTLE TO NO LOCAL ASSISTANCE AVAILABLE FOR PEOPLE NEEDING ASSISTANCE TO START A BUSINESS OR EXPAND AN EXISTING ONE, SECURE NEEDED FINANCING, LEARN OF APPLICABLE REGULATIONS, AND THE MANY OTHER SERVICES NOW PROVIDED BY ARDORS.

YOUR SUPPORT IS REQUESTED, TO EXTEND THE OPERATIONS OF ARDORS FOR THE NEXT THREE YEARS, THROUGH FY 2000.

VERY TRULY,

A handwritten signature in cursive script that reads 'Carl Berger'.

CARL BERGER, EXECUTIVE DIRECTOR
LOWER KUSKOKWIM ECONOMIC DEVELOPMENT COUNCIL

Lower Kuskokwim Economic Development Council
PO Box 2022
Seibel AK 99559
Phone: 10071 4835967
FAX: 10071 5132255

SOUTHEAST CONFERENCE

An Alaska Regional Development Organization and USDA Resource Conservation and Development Council

February 3, 1997

Representative Albert Kookesh
State Capital
Juneau, AK 99801

Dear Representative Kookesh:

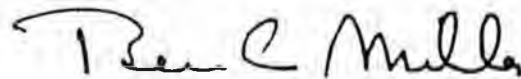
House Bill 35, an Act Extending the Alaska Regional Economic Assistance Program, is scheduled to be heard before the House Community and Regional Affairs Committee this Wednesday. When enacted, the Bill will extend the life of the Alaska Regional Development Program to the end of this century.

Attached you will find a copy of Southeast Conference Resolution 97-6 urging reauthorization of the ARDOR Program. This Resolution was adopted unanimously by Conference members during their Annual Meeting in Juneau last September. For more information about Southeast Conference and its activities as the ARDOR for Southeast Alaska, please see the Conference's *Regional Development Strategy and Area Plan* and *Annual Report for Membership Year 1996* sent you with our last letter.

I regret I will be unable to attend the Committee's hearing. I must be in Ketchikan to join with federal, state, and local representatives who are meeting to consider the kind of partnership to put together to aid southern Southeast Alaska's recovery from the recent and impending downturn in the timber industry. Should you have an urgent need for more information, I can be reached through the Cape Fox Hotel.

Thanks you for your interest.

Sincerely,



Berne C. Miller
Executive Director

Attachment

SOUTHEAST CONFERENCE

An Alaska Regional Development Organization and USDA Resource Conservation and Development Council

A RESOLUTION URGING REAUTHORIZATION OF THE ALASKA REGIONAL DEVELOPMENT ORGANIZATION (ARDOR) PROGRAM

(Resolution 97-6)

- WHEREAS** one of the most serious challenges facing Alaskans today is expansion, diversification, and stabilization of the State's economy, and
- WHEREAS** among the most successful approaches to economic expansion, diversification, and stabilization is one that encourages and facilitates a high level of participation at local and community levels, and
- WHEREAS** the Alaska Regional Development Organization (ARDOR) Program was established to create and sustain regional development capacity by fostering effective public-private partnerships to implement locally conceived and executed economic and community development projects, and
- WHEREAS** the ARDOR Program will "sunset" in 1997 unless reauthorized by the Legislature, and
- WHEREAS** ARDORs statewide have laid a solid foundation for greater responsibility and leadership in economic and community development at the regional level, and
- WHEREAS** Southeast Conference has assisted the people and communities of Southeast Alaska by 1) supporting and helping improve and expand marine and land transportation infrastructure; 2) helping communities address solid waste management, household hazardous waste disposal, and other environmental needs; and 3) helping communities plan and execute development efforts responsive to local needs and priorities

NOW THEREFORE BE IT RESOLVED THAT

Southeast Conference urges the Administration and Legislature to fully support the ARDOR Program through appropriate administrative policies and appropriation of funds adequate to sustain the ARDORs' mission of building local capacity and developing sustainable economies.

Southeast Conference urges the Administration and Legislature to reauthorize the ARDOR Program during the next legislative session.

This Resolution be sent to the Governor, the Legislature, the Department of Community and Regional Affairs, the Department Commerce and Economic development, and the Alaska Industrial Development and Export Authority.

ADOPTED BY SOUTHEAST CONFERENCE ON SEPTEMBER 26, 1996.

Witness


John Tronrud - President Southeast Conference

Attest


Berne C. Miller - Executive Director

ALASKA STATE CHAMBER OF COMMERCE RESOLUTION

SUPPORTING THE CONTINUATION OF THE ALASKA REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION PROGRAM

WHEREAS, the Alaska state legislature created the Alaska Regional Economic Development Organization (ARDOR) program in 1988; and

WHEREAS, the legislation created a program that encouraged the formation of regional development organizations such as the Southeast Conference, the Southwest Alaska Municipal Conference, and others around the State of Alaska to address the economic problems of those regions; and

WHEREAS, the ARDOR'S are private nonprofit corporations formed by local initiative for the purpose of promoting private sector economic development within their designated regions; and

WHEREAS, the ARDOR'S represent an economically viable unit with shared interests, resources traditions and goals; and

WHEREAS, those ARDOR'S have successfully coordinated private and public resources to support economic development in their regions; and

WHEREAS, they have provided the State with information on regional economic issues, tourism and opportunities for international trade; and

WHEREAS, they have provided assistance in local economic diversification and development efforts during a time of turmoil and troubles in those local regions; and

WHEREAS, the ARDOR'S serve as a liaison between local governments and businesses in the region and the State of Alaska on issues of a common nature; and

WHEREAS, those organizations have been successful in their economic development mission; and

WHEREAS, the original legislation had a sunset clause that ended the program in 1993; and

WHEREAS, that repeal was extended until the end of fiscal year 1997; so

NOW THEREFORE BE IT RESOLVED BY THE Alaska State Chamber of Commerce that it is in the best interest of the State of Alaska to continue the ARDOR program and to insure the ongoing economic viability of Alaska's various regions; and

FURTHER BE IT RESOLVED BY the Board of Directors of the Alaska State Chamber of Commerce we support this issue as being of statewide importance in the process of adopting our legislative priorities for the 1997 legislative session.

Passed and approved by the Board of Directors of the Alaska State Chamber of Commerce this 6th day of December, 1996.

HB

41

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Mary Pagenkopf

Senate Rules Committee 2/25/97 10:35 am

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

LABOR & COMMERCE, CHAIRMAN
JUDICIARY, MEMBER
OIL AND GAS, MEMBER



INTERIM:
716 WEST 4TH AVENUE, SUITE 640
ANCHORAGE, AK 99501
PHONE: (907) 258-8181
FAX: (907) 258-2016

SESSION:
STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

SPONSOR STATEMENT REPRESENTATIVE NORMAN ROKEBERG COMMITTEE SUBSTITUTE HOUSE BILL 41 (L&C)

CS HB 41 (L&C) - "AN ACT RELATING TO IMPAIRMENT RATING GUIDES USED IN EVALUATION OF CERTAIN WORKERS' COMPENSATION CLAIMS"

CSHB 41 (L&C) provides that the most recently published edition of the American Medical Association Guides to the Evaluation of Permanent Impairment ("Guides") shall be used in determining eligibility for benefits under the Alaska Worker's Compensation Act. It provides that the Board shall begin using the new edition not later than 90 days after the last day of the month in which the new edition is published and that the Board, at an open meeting, will select a date within that time frame for use to begin.

Reasons for adopting this legislature are:

- **Cost of Adopting Regulations** –
Decrease both the hard and soft costs of adopting regulations.
- **Reduce Time Lag** –
Fourth edition published June 1993; regulation approved in April 1996.
New edition published; older editions hard to come by.
- **New Science** --
Adopting the latest "state of medical arts".

This bill will not change the current process used but will make it more efficient and less costly. The vote on the House floor on this legislation was 38-0.

I would encourage your support of this legislation.

Ed3.1:2/20/97

FISCAL NOTE

No. 2

Bill Version: CSHB 41 (I.&C)

(H) Publish Date: 1/24/97

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Revision Date: _____
Title: "An Act relating to impairment rating guides used in evaluation of certain workers' compensation claims."
Sponsor: Rokecure
Requestor: (H) L&C

Department Affected: Administration
BRU: Risk Management
Component: Risk Management
COMPONENT SERIAL NO. 0071

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
--------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE: (Thousands of Dollars)

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

Estimate of any current year (FY 97) cost: \$ None

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

This bill requires the use of the most recently published edition (including supplements) of the American Medical Association Guides to the Evaluation of Permanent Impairment — when determining the existence and degree of permanent impairment compensable under the workers' compensation act.

Agency "Cost of Risk" premium allocations (inter-agency receipts collected by Risk Management) reflect average of 5 prior years of actual claims costs. Any incremental cost increase realized by applying newer rating guideline will be included in the claims experience - and reflected in future workers' compensation premium allocations to each agency.

There is no direct fiscal impact on the ~~Division of Risk Management~~.

Prepared by: J. Brad Thompson, Director
Division: Risk Management

Phone: 465-5723
Date: _____

Approved by Commissioner: Mark Boyer
Agency: Department of Administration

Date: 1/24/97

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FISCAL NOTE

N 1
 Bill Version: CSHB 41 (L&C)
 (H) Publish Date: 1/24/97

STATE OF ALASKA
 1997 LEGISLATIVE SESSION

BILL

Revision Date: _____
 Title: Impairment rating guides for
 Workers' Comp
 Sponsor: Representative Rokebera
 Requestor: House L&C

Department Affected: Labor
 SFU: Workers' Compensation
 Component: Workers' Compensation
 COMPONENT SERIAL NO. 344

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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						
CHANGE IN REVENUE						
FUND SOURCE #						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY97) impact: \$ None

ANALYSIS: (Attach a separate page if necessary.)

This bill proposes amending AS 23.30.190(b) to use the most recent published editions of the American Medical Association Guides, including supplementary materials, for the Evaluation of Permanent Impairment. This bill results in a zero fiscal note for the Workers' Compensation Division.

Prepared by: Paul Grossi, Director *Paul Grossi* Phone: 465-2790
 Division: Workers' Compensation Date: 1/16/97
 Approved by Commissioner: Tom Cashen, Commissioner *Tom Cashen*
 Agency: Department of Labor Date: 1/16/97

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HB

43

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Mary Pagenkopf

Senate Rules Committee 2/26/97 12:26 p.m.



REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

Sponsor Statement
CSHB 43 (FIN)
by
Representative Eldon Mulder

CSHB 43 is a clean-up bill to solve an inadvertent problem from last year and extends the option of annual registration of motor vehicles to commercial vehicles.

SB 226 from the 19th Alaska Legislature changed vehicle registration from one year to two years. Amendments to SB 226 exempted rental vehicles since they were usually in the state for less than one year. In doing so we did not specifically allow collection of the municipal vehicle tax for rental vehicles on an annual basis.

CSHB 43 allows for the collection of municipal fees on annual registrations of rental vehicles. It also permits the collection of municipal fees for any rental vehicle registered between January 1, 1997 and the effective date of this legislation.

In registering their fleets of vehicles, many commercial fleet operators are restricted by the outlay of what could be used as investment capital. Registration of these fleets sometimes amounts to hundreds of thousands of dollars. Changes made to HB 43 in the House Finance Committee extend the option of annual registration to vehicles used for a commercial purpose.

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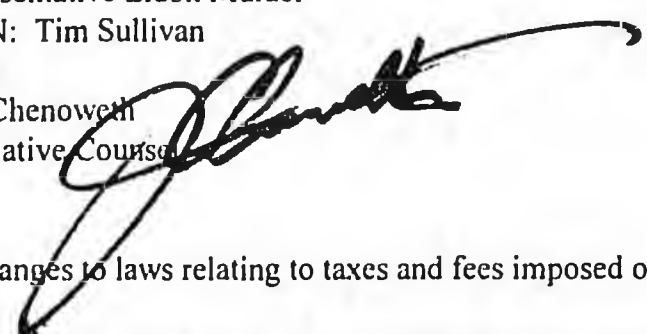
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

January 30, 1997

SUBJECT: CSHB 43 (Finance), relating to vehicle registration, municipal taxation of vehicles, and emission control inspection fees for vehicles -- sectional analysis (Work Order No. 20-LS0254H)

TO: Representative Eldon Mulder
ATTN: Tim Sullivan

FROM: Jack Chenoweth
Legislative Counsel 

The bill makes a series of changes to laws relating to taxes and fees imposed on vehicles.

Bill section 1 makes amendments to AS 28.10.108(f) to clarify what is required by way of the registration of motor vehicles used for commercial purposes when they are to be registered on an annual basis. Provisions of current law allow annual registration at the request of the vehicle owner and with payment of the annual registration fee due the state. Under the proposed additions, annual registration would require compliance with two additional provisions--payment of the appropriate proportions of the municipally-levied vehicle registration tax and, if applicable, the biennial emission control inspection fee.

Bill section 2 makes a conforming change to AS 28.10.421(h) so that the rates set out for annual registration fees are made applicable to "vehicles used for commercial purposes" and are not limited to "rental motor vehicles." (A definition of "commercial purposes" is offered at AS 28.40.100(a)(3).)

AS 28.10.431(b) sets out the tax rates to be applied when a municipality levies a biennial motor vehicle registration tax. **Bill section 4** adds a new bill section, AS 28.10.431(1), setting out a municipally-levied registration tax rate table for the tax when it is levied on an annual basis. **Bill section 3** makes a necessary conforming change permitting municipalities to increase or decrease the municipally-levied registration tax that is annually levied (as they may now do for the tax when it is levied on a biennial basis).

Bill section 5 specifically addresses the authority of a municipality to take advantage of the annual municipal registration tax provisions added by bill section 4. It authorizes collection of the annual tax on vehicles used for commercial purposes to those vehicles already

Representative Eldon Mulder

January 30, 1997

Page 2

registered during the period that began on January 1, 1997 and that will end on the effective date of the Act.

Bill section 6 makes the entirety of this Act retroactive to January 1, 1997.

Bill section 7 gives the measure an immediate effective date. This immediate effective date provision requires a two-thirds vote to be effective.

JBC:jdr

97-064.jdr

Municipality
of
Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 343-4431
Fax: (907) 343-4409
<http://www.ci.anchorage.ak.us>

Rick Mystrom, Mayor

OFFICE OF THE MAYOR

January 27, 1997

Representative Eldon Mulder
Alaska State Legislature
State Capitol
Juneau, AK 99801

Re: House Bill 43, "An Act relating to registration of rental motor vehicles"

Dear Eldon:

Thank you for introducing House Bill 43, which is intended to correct a problem created with the passage of Senate Bill 226 during the 19th Legislature.

Senate Bill 226 provides for biennial registration of motor vehicles. It was amended late in the session to allow for continued annual registration of rental vehicles. Unfortunately, it appears that the language of the amendment precludes the collection of the existing motor vehicle registration tax on rental vehicles. This situation, if not corrected, will mean a loss of approximately \$150,000 annually to the Municipality of Anchorage.

House Bill 43 is designed to correct this situation while still allowing rental agencies the option of annual registration.

Thanks again for your help with this matter and please feel free to contact me if you need additional information.

Sincerely,

Rick Mystrom
Mayor

"City of Lights and Flowers"

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO: CSHB 43 (FIN)

Revision Date: 1/29/97 Dept. Affected: Public Safety
 Title: An Act relating to registration and municipal BRU: Motor Vehicles
tax on rental vehicle... Component: Field Service
 Sponsor: Representative Mulder
 Requestor: H, FIN COMPONENT SERIAL NO. 0502

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

OPERATING	FY 96	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()						
Revenue Code						

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 97) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill will not fiscally impact the Division of Motor Vehicles

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 1/30/97
 Approved by Commissioner: *Ronald L. Witt* Date: 1/30/97
 Agency: Ronald L. Witt, Dpt. of Public Safety

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HB

45

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Mary Pagenkopf

Senate Rules Committee 3/12/97 10:50 am

Alaska State Legislature

REPRESENTATIVE

PETER KELLY

Mailing Address:

119 N. Cushman, Suite 203

Fairbanks, Alaska 99701

(907) 456-8161

While in Juneau

State Capitol

Juneau, Alaska

99801-1182

(907) 465-2327

House District 31

House Of Representatives

February 5, 1997

Memorandum

To: Senator Tim Kelly, Chair
Senate Rules Committee

From: Representative Pete Kelly *Pete*

Regarding: Floor scheduling for HB 45

=====

Please schedule House Bill 45 for floor action at your earliest convenience.

House Bill 45 corrects a problem that occurred when my bill from last year, revising the juvenile code HB 387, and Senator Frank's bill, changing the runaway statutes SB 289, were merged. The language that resulted required a police officer to return a runaway minor to his parents - but only with the consent of the minor. HB 45 **deletes** the language requiring a police officer to obtain the **consent of a minor** before he is returned home.

It does not make sense for the state to give a runaway minor, by definition an individual who chooses to live on the streets and is refusing available care, the power to override his parents decision.

I have filed HB 45 to fix this problem.

The bill has generated very little controversy. The National Association of Social Workers have requested a change beyond the scope of this bill. They have requested an amendment deleting the word "believe" and inserting "suspect" in AS 47.10.141(b)(1)(A). This change would substantially weaken the efforts of Senator Frank's SB 289 in the previous legislature.

The National Association of Social Workers also misinterpret the role of the police officer in AS 47.10.141. The police officer has been called, by the family, to seek and find a missing child. Once found the police officer is directed, by AS 47.10.141, to return the minor to his or her home. The police officer still has the requirement to report any suspicion of abuse to the proper authorities under AS 47.17. Police officer's are not trained to split apart families on the basis of the merest suspicion of child abuse, this takes trained social workers, responding to a police report. Nor is it appropriate for a police officer to release a minor to the dangers of the streets, without solid reasons to act upon.

Alaska State Legislature

REPRESENTATIVE
PETER KELLY

Mailing Address:
119 N. Cushman, Suite 203
Fairbanks, Alaska 99701
(907) 456-8161



White in Juneau
State Capitol
Juneau, Alaska
99801-1150
907/465-2327

House District 3

House Of Representatives

Sponsor Statement

HB 45

Runaway and missing children

HB 45 provides a technical correction that occurred when my comprehensive re-write of the juvenile code was combined with Senator Steve Frank's legislation on runaway's following the last legislative session. When these two bills were combined a core piece of Senator Frank's legislation was lost. The reviser of bill needs this legislation to fix the problem.

This bill returns to a parent or guardian the decision to allow an unemancipated minor to remain on the street or to require the minor to return home. A runaway minor should not have the right of refusal as to where the minor should live. This decision should lie with the minor's parent, legal guardian, or in remote cases, a peace officer.

When you read the paper and learn of juveniles committing crime, vandalism, or living on the streets, you may ask yourself: "Where were these kids parents?" When you drive home late at night and see teens or younger children out on the street it is not just the parents who are at fault. Please remember that State law gives these children veto power over their parent's decision for the minor's return home.

We all agree that it is not in a minor's best interest for the minor to be "habitually absent from home or refusing to accept available care" (AS 47.10.010(a)(1)). It was not intentional for our statutes to read that a minor who has run away from home, must first consent to her or his return to that home. HB 45 corrects this problem.

STATE OFFICE
ALASKA PEACE OFFICERS ASSOCIATION

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355



January 17, 1997

Business Manager

Joseph E. Young
Anchorage

Board of Directors

Michael Corkill, President
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Craig
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Representative Pete Kelly
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Dear Representative Kelly,

On behalf of the Alaska Peace Officers Association, I would like to thank you for sponsoring House Bill 45 relating to runaway and missing minors. At a recent meeting of the APOA State Board, we decided to unanimously support this legislation. We believe that a runaway minor should not have the right of refusal or choice as to where the minor should live. We feel this decision should lie with the minor's parent, legal guardian or, in remote cases, a peace officer.

We encourage you to call on us when there are hearings on this bill, so that we may testify about the need for this legislation. If you need assistance as you shepherd this bill through the legislative process, please call me at 451-5316, or our business manager, Joseph Young at 277-0515.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael", is written over a horizontal line.

Michael Corkill
APOA State President



TELECOPY COVER SHEET

Fairbanks Legislative Information Office

Office - (907) 452-4448

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TO: House HESS FAX: _____ PHONE: _____

FROM: FBX LIO PHONE: _____

INSTRUCTIONS: Written Testimony for HB45 teleconferenced
on 2/13 @ 3:00 PM.

RECEIVED: Date _____ Time _____

SENT: Date 2/14/97 Time _____

DISPOSAL OF ORIGINAL: Discard _____ Hold for Pickup _____

NUMBER OF PAGES: 5 (Not counting cover sheet)

SENT BY: Flem

Comments on HB45:

Kim Wood
PO Box 56152
North Pole, AK 99705

Upon reading HB45 I was taken back to April 23, 1996, when our daughter "decided" that she didn't want to live with us anymore and would rather "live her own life" at age 13. That was the day I summoned the police to pick her up off the street because she said she was not coming home. When she was taken to the police station, she said she was not going home with us. We then asked the police what we could do and we were told "nothing." They then transported her to Family Focus. That was all they said they could do. Never once did the police tell our daughter that she had to go home with us, so she really felt like she had the upper hand and we felt she did too. She got what she wanted, to do what she wanted, when she wanted. I'm sure she probably laughed inside all the way to Family Focus, while we were crying at home. I might add here that there was never any question of physical, mental, or sexual abuse, just a child who got it in her head that she could do what she wanted and there was nothing we could do about it. The sad thing is that she was right, until we found out about Teen Help.

How helpless we felt that day and the days that followed until we were given the number of Teen Help. The day after I called them, an escort team was on their way to Fairbanks to take our daughter to a residential treatment facility where we could all begin to sort through what was wrong and begin the healing process. To date things are going well and our daughter is in a safe, secure environment, where together we are all working on the issues that ultimately led to April 23, 1996.

Every day I see in the paper where another adolescent is either missing, or assaulting their parents, etc. It makes me angry that there is nothing in our own state, much less our own community that can provide assistance to our children who are definitely crying out for help.

I would venture to say that most of the kids on the street are not from abusive homes, but rather they know that there is nothing their parents can do to make them be responsible for the bad choices they have made, and that if not checked, will eventually ruin their lives, like ending up in jail for the rest of their life for shooting a police officer in the chest. And actions that affect the lives of others in the community by way of stealing, vandalism, etc. How sad that our state thinks it's more important to give grants to start charter schools for "gifted" children when the money could be better used to establish facilities to help our kids at risk. And yes, I do mean help. If you could talk to the kids in the program that our daughter is in, you would find that they are now thankful that their parents are

making the emotional and monetary sacrifice they are making to ensure that their son or daughter is receiving the help they need

One thing I noticed in the bill, (4) (B) "that counseling services for the minor's parent or guardian and the minor's household may be available under AS 47.10.142(B)." This is a good place to start, too bad it was never offered to my family. We were on our own in finding counseling and it would have been helpful if someone would have assisted us. When your family is falling apart, you feel like you are all alone in the world, and there was nowhere to turn for us. I can only hope that our state government will take a serious look at this issue and take action soon. The problem is not getting better, and will not go away on its own. It's too late for my family, but not for countless others in our community that are now or will in the future go through this tragedy.

Respectfully,

Kim M. Wood 2/13/97

HB45...TELECONFERENCE...HESS...February 13, 1997

by Al Near

HB45 seeks to correct a technical error that occurred when SB289 was written into AS 47.10.141(B). I support this correction.

Despite our best efforts, the runaway youth problem continues to plague us. Responsible parents who are trying to instill traditional values encounter legal roadblocks. If a kid chooses to leave home (runaway), there's very little a parent can do to prevent it, and kids know this! Laws designed to protect abused and neglected children are easily exploited by rebellious kids who are challenging authority. Young people who, in an earlier time would have been held accountable for their misdeeds, can now exercise adult freedoms unencumbered by responsibility.

Alaska desperately needs the option of secure treatment facilities for our rebellious runaways. At present, families have few choices when their son or daughter runs. If pleading with them to come home doesn't work...then what? A growing number of Alaskan families are sending them to programs "Outside". Facilities in Utah, Idaho and Montana can maintain a secure environment for rehabilitation programs and their success rates are impressive...over 80%! The cost is high too...\$100 a day and up, but over a dozen families in Fairbanks alone have children in just one of these programs today.

Why can't we have this option *in Alaska*? It seems that mandates flowing from Federal legislation of the 70s may be the reason. To ensure so called "least restrictive" settings for juveniles in custody here, certain Federal funds for juvenile programs are contingent upon compliance. For example, detention of juveniles who run away from home would place a portion of this grant money at risk. It's assumed that kids who run away are fleeing abusive homes. This completely overlooks the merely rebellious ones...kids who would exploit these laws and manipulate the system. Kids who know that law enforcement agencies do NOT aggressively pursue runaways or the people who harbor them.

I urge you and the administration to consider lifting the ban against secure placement for habitual runaways.



How times have changed

Public school teachers rank the top disciplinary problems



1940

- Talking out of turn
- Chewing gum
- Making noise
- Running in the halls
- Cutting in line
- Dress-code violations
- Littering

1990

- Drug abuse
- Alcohol abuse
- Pregnancy
- Suicide
- Rape
- Robbery
- Assault



TEEN HELP

1-800-355-8336

ID #

In the next 24 hours . . .

(Based on national averages)

- 1,439 Teens will attempt suicide
- 2,795 Teenage girls will become pregnant
- 9,506 Teens will take their first drink of alcohol or use of drugs
- 3,561 Teens will run away

Truancy and violence by teens have increased tremendously. Teens now account for over a fourth of all Sexually Transmitted Diseases and over fifty percent of all teens use alcohol or drugs.

More teens than ever before are in need of help. Even the best of homes are being affected by this nationwide problem.

Teen Help . . .

has resources or can refer parents to resources such as:

- Parent Support Groups
- Parent and Teen Retreats
- Adolescent Counselors
- Short Term Crisis Centers
- Treatment Programs
- Schools, Camps, other Alternatives

For more information . . .

Call TEEN HELP

1-800-355-8336

WARNING SIGNS OF RUNAWAY CHILDREN

It is apparent that children with runaway tendencies manifest similar behaviors. The following list was compiled by parents of runaway children in the Fairbanks area. Those contributing the information all agree that it is far more than coincidental that many behaviors are similar, but they are puzzled as to what moves a child in that direction.

We hope this this information will alert other parents to a potential runaway problem before it happens.

- Dishonesty (lying, cheating, stealing).
- Lack of conscience.
- Poor school performance.
- Disruptive and/or disinterested in class.
- Disinterest in extra-curricular or other organized activities.
- Friendships with inferiors or hanging around with the bad elements.
- Inability to see the consequences of any given action.
- Drops out of family activities.
- Disavows family values.
- Manipulates others.
- Poor judgment and decision-making skills.
- Will do anything for peer acceptance.
- Gang attire and music preferences.
- Severe mood shifts.
- Bored and unable to entertain self – relies on peers, TV and others.
- Impulsive behavior – self damaging and harmful (i.e., drugs, shoplifting, sex, etc.)
- Low self-esteem.
- No sense of identity.
- Frequent and inappropriate display of anger.
- Unstable and intense friendships of short duration.
- Threats of suicide.
- Self mutilation.
- Avoidance of responsibilities by running or consequences of actions.
- Consistently truant.
- Destructive to property of self and others.
- Never admits to fault.
- Exhibits paranoid behavior.
- Continues to maintain relationship with boyfriend/girlfriend as forbidden by parents.
- Unrealistic use or money. Unable to hang on to money. Does not know value.

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. HB45

Revision Date: _____
Title: Relating to Runaway and Missing Minors

Dept. Affected: Health and Social Services
BRU: Family and Youth Services

Sponsor: Representative Kelly
Requestor: House (HES)

Component: DFYS Central Office
COMPONENT SERIAL NO. 259
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
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						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact to the Division if this bill were to become law.

5/2/97

Prepared by: L. Diane Worley, Director
Division: Family & Youth Services

Phone: 465-3191
Date: 02/07/97

Approved by Commissioner: Karen Peddie, Commis.
Agency: Department of Health & Social Services

Date: 2/12/97

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