

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672  
11074 HOUSE TRANSPORTATION



# RECORDS CERTIFICATION



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*William J. Carter*

Signature of Camera Operator

*8/11/2005*

Date

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**HB**

**40**

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES





**House Transportation Committee**  
State Capitol, Room 17  
465-4858



**Rep Jim Holm**  
**Rep Beverly Masek**  
Co-Chairs  
Members:

*Rep Hugh Fate, Rep Mary Kapsner, Rep Vic Kohring, Rep Albert Kookesh, Rep. Dan Ogg*

---

DATE: April 22, 2003  
TO: House Transportation Committee Members  
FROM: Barbara Cotting, Committee Aide

Attached is the proposed committee substitute for HB 40 which will be up again in House Transportation on Thursday, April 24.

The CS appears to address all the changes and concerns expressed by committee members. If you have questions give me a call. Thanks.

*adopted 4/24/03*

23-LS0262VH  
Ford  
4/16/03

**CS FOR HOUSE BILL NO. 40(TRA)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - FIRST SESSION**

**BY THE HOUSE TRANSPORTATION COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES LYNN, Chenault**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to issuance of identification cards and to issuance of driver's licenses."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1.** AS 18.65.310 is amended by adding a new subsection to read:

4 (h) The department may not issue an identification card under (a) of this  
5 section to a person who is not a citizen of the United States or who is not an alien  
6 lawfully admitted into the United States. In this subsection, "alien" means a person  
7 who is not a citizen or national of the United States.

8 **\* Sec. 2.** AS 28.15.031(b) is amended to read:

9 (b) The department may not issue an original or duplicate driver's license to,  
10 nor renew or reinstate the driver's license of, a person

11 (1) whose license is suspended or revoked, except as otherwise  
12 provided in this chapter;

13 (2) who fails to appear in court for the adjudication of a certain  
14 vehicle, driver, or traffic offense when the person's appearance is required by statute,  
15 regulation, or court rule;

1 (3) who is an habitual user of alcohol or another drug to such a degree  
2 that the person is incapable of safely driving a motor vehicle;

3 (4) [REPEALED

4 (5)] when the department, based upon medical evidence, has  
5 determined that, because of the person's physical or mental disability, the person is not  
6 able to drive a motor vehicle safely;

7 (5) [(6)] who is unable to understand official traffic control devices as  
8 displayed in this state or who does not have a fair knowledge of traffic laws and  
9 regulations, as demonstrated by an examination;

10 (6) [(7)] who has knowingly made a false statement in the person's  
11 application for a license or has committed fraud in connection with the person's  
12 application for, or in obtaining or attempting to obtain, a license, or who has not  
13 applied under oath on the form provided for the purpose of obtaining or attempting to  
14 obtain a license or permit;

15 (7) [OR (8)] who is required under AS 28.20 to furnish proof of  
16 financial responsibility and who has not done so; or

17 (8) who is not a citizen of the United States or who is not an alien  
18 lawfully admitted into the United States; in this paragraph, "alien" means a  
19 person who is not a citizen or national of the United States.

**Subject:** Original License - DMV  
**Date:** Tue, 15 Apr 2003 16:23:41 -0800  
**From:** Duane Bannock <duane\_bannock@admin.state.ak.us>  
**Organization:** State of Alaska  
**To:** Barbara C Cotting <barbara\_cotting@legis.state.ak.us>


Barbara-

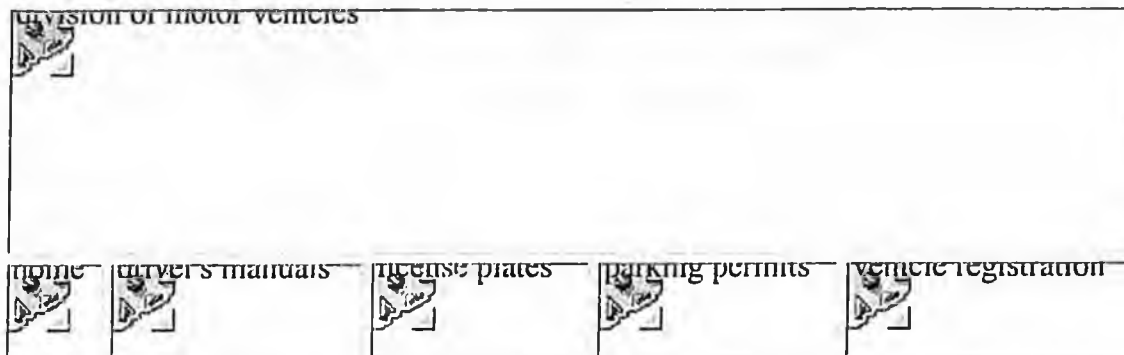
Here are the requirements! Thanks for your help today in getting our bill(s) moving.

Duane Bannock  
Director, Motor Vehicles

<http://www.state.ak.us/local/akpages/ADMIN/dmv/akol/original.htm>

---

 <u>original.htm</u>	<b>Name:</b> original.htm <b>Type:</b> Hypertext Markup Language (text/html) <b>Encoding:</b> 7bit
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## Original License

- [Alaska Driver Manuals](#)

An applicant for an original Alaska driver license must be at least 16 years of age and have held a valid driving permit for a minimum of 6 months. If an applicant is under 18 years of age, they must have parental consent to obtain a license. An applicant is required to furnish two pieces of identification, one to prove date of birth and one to prove identity.

### The following documents are acceptable for proving date of birth:

- An original or certified copy of a U.S. or Canadian birth certificate (From Vital Statistics)  
If you do not have any of the other items on this list, and you were not born in Alaska, please see the following site for information on how to obtain a certified copy of your birth certificate. Please be aware that this is a large document (41 pages) and may take a long time to load from your computer.  
[http://www.cdc.gov/nchs/data/w2w11\\_99.pdf](http://www.cdc.gov/nchs/data/w2w11_99.pdf)
- A Passport issued by the United States or Canada  
[http://travel.state.gov/passport\\_easy.html](http://travel.state.gov/passport_easy.html)
- An Alaska learner's permit or other state issued permit with a photo.
- An identification card issued by a State DMV office or Canadian DMV.
- Military Identification for active duty, retiree or reservist.

NOTE: With **two items** from the list above, an identity document (listed below) is not required.

### The following documents are acceptable for proving identity:

- Photographic employee identification card
- A social security card (If a number has been assigned to you, it is required on the application). Metal card is not acceptable. <http://www.ssa.gov>
- Military Identification for dependent
- Passport
- Pilot's License
- Marriage license or certificate
- Other evidence of comparable validity approved by a DMV supervisor


NOTE: Rent receipts, credit cards and similar types of items that can be obtained through the mail are NOT acceptable as identity documents.

An applicant will be required to pass the written knowledge test (or present a valid Alaska learner's permit), a road test, and a vision test prior to being issued a driver license. The license is valid for approximately five years, expiring on the applicants birthday. See the following page for fees.

**PRECAUTIONARY MEASURES:** Once you have obtained your driver license, it is important to carry it in a safe place. Do not leave it in a place where it can easily be lost or stolen. If it does become lost or stolen, the following items (kept at home in a safe place) will make it much easier for you to obtain a duplicate:

much easier for you to obtain a duplicate.

- The original documents used to obtain your license.
- Obtain a state identification card.

 image

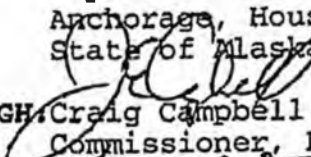
[Driver License - Reinstatement - DMV HOME PAGE - Dept. of Administration - State](#)

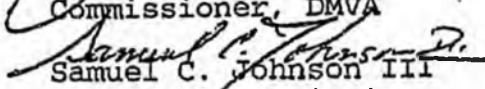
## MEMORANDUM

## STATE OF ALASKA

Department of Military and Veterans Affairs  
Office of Homeland Security and Emergency Services

TO: Representative Bob Lynn  
Anchorage, House 31  
State of Alaska

THROUGH:  Craig Campbell  
Commissioner, DMVA

FROM:  Samuel C. Johnson III  
Assistant Commissioner  
Office of Homeland Security  
and Emergency Services

DATE: April 9, 2003

FILE: 2.3

PHONE: 428-7000

SUBJECT: House Bill NO. 40

The Office of Homeland Security and Emergency Services support your efforts to enhance our Alaska Homeland Security objectives. Your proposed House Bill No. 40 would provide an additional tool to improve the security of Alaska. As we strive to enhance the safety of all Alaskans, we must balance our desires to improve our safety with our desire to preserve our freedoms. Your leadership on this important matter is greatly appreciated.

<b>State of Alaska</b> <b>Division of Motor Vehicles</b> <b>Standard Operating Procedures</b>	SOP No. D-20	Page No. 1 - 3
	Effective Web Site	
<b>Subject:</b> <b>IDENTIFICATION AND PROOF OF DATE OF BIRTH</b>	Supersedes D-20	Dated 6/1/00
	Approved	
<b>Statute: AS 28.15.061</b>	<b>Regulation: 13 AAC 08.330 (b)</b>	<b>Form No.</b>

**ORIGINAL ALASKA DRIVER'S LICENSE or IDENTIFICATION CARD**

Every person who makes an original application for a driver's license or permit must furnish documentary proof of his/her date of birth (See Primary Identification Documents) and at least one form of identification to verify his/her name (See Secondary Identification Documents). IF A PERSON HAS A VALID PHOTO DRIVER'S LICENSE ISSUED BY A STATE DMV, NO OTHER IDENTIFICATION IS REQUIRED.

**CERTIFICATION BY CORRECTIONS, PROBATION OR ALASKA CHILDREN'S SERVICES IS NOT ACCEPTABLE.**

**PRIMARY IDENTIFICATION DOCUMENTS**

1. An original or certified copy of a United States or Canadian birth certificate. The certificate must have a raised seal and be issued by an authorized government agency such as the Bureau of Vital Statistics or State Board of Health. Hospital issued certificates and baptismal certificates are not acceptable.
2. Canadian Department of Indian Affairs issued identification card. (Tribal issued card is not acceptable. A U.S. issued Department of Indian Affairs card is not acceptable.)
3. Court order which must contain the individual's full name, date of birth and court seal. Some examples include an adoption document, a name change document, gender change document, etc. It does not include an abstract of criminal or civil conviction.
4. Drivers license/permit issued by a State/Canadian DMV. Cannot be expired over one year.
5. Identification card issued by a State or Canadian DMV. Cannot be expired over one year.
6. Microfilm/copy of a drivers license issued by a State or Canadian DMV, provided it has been certified by DMV.
7. Microfilm/copy of an identification card that has been certified by the issuing DMV.
8. Military identification card for active duty, retiree or reservist. (Service member only. Dependent military ID's are not acceptable as a primary document.)
9. Passport - U.S. or Canadian.
10. Report of Birth Abroad by a Citizen of the United States, issued by a U.S. consular officer.
11. The following Immigration and Naturalization Service (INS) documents are acceptable. The document must be an original and expired documents are unacceptable:
  - a) Certificate of Naturalization (N-550, N-570, or N-578)
  - b) Certificate of Citizenship (N-560, N-561, or N-645)
  - c) Northern Marianas Card
  - d) American Indian Card
  - e) United States Citizen Identification Card (I-179 or I-197)
  - f) Resident Alien Card or Permanent Resident Card (I-551)
  - g) Temporary Resident Card (I-688)
  - h) Arrival-Departure Record (In a valid foreign passport) (I-94)
  - i) Valid foreign passport containing an I-551 stamp
  - j) Re-entry Permit (I-327)
  - k) Refugee Travel Document (I-571)

- l) Employment Authorization Card or Employment Authorization Document (I-688A, I-688B, or I-766)
- m) Arrival-departure Record stamped "Refugee" (I-94) (Refugee's I94 will not likely be in a foreign passport)
- n) Canadian Immigration Record and Visa or Record of Landing (IMM 100).

### SECONDARY IDENTIFICATION DOCUMENTS

1. All primary documents
2. Bureau of Indian Affairs card or an Indian Treaty Card. (Some tribal cards are more reliable than the BIA card. DMV's can make their own determination.)
3. Driver license or ID card that has been expired over a year.
4. Court order that does not contain the applicant's date of birth.
5. Photographic employer identification card.
6. Foreign birth certificate.\*
7. Foreign passport.\*
8. Health insurance card [Blue Cross/Shield, Kaiser, Aetna, or a Health Maintenance Organization (HMO)].
9. Internal Revenue Service (IRS) or state tax form. A W-2 form is not acceptable.
10. Marriage license or certificate.
11. Individual's medical records from a doctor or a hospital.
12. Military dependent identification.
13. Military discharge or separation papers. (DD214)
14. Parent or guardian affidavit for minors, only. The parent or guardian must appear in person and prove their identity and submit a certified or notarized affidavit regarding the child's identity.
15. Gun permit.
16. Pilot's license.
17. Certified school record or transcript.
18. Social Security card (D-17). A metal card is not acceptable.
19. Photographic school identification card.
20. Vehicle title. A vehicle registration is not acceptable.
21. Welfare card.
22. Prison release document.

\*See the following page for further information on foreign documents.

### **LOST ALASKA DRIVER LICENSE/PERMIT/I.D. CARD REQUIREMENTS:**

- Two items from either the primary or secondary identification document list. In offices with ALVIN terminals the information on the computer may be used in place of one of the items provided the person can verify address, date of birth, place of birth, Social Security number and the physical description matches.
- Offices without computer terminals must contact a terminal office to verify that the status of the license is clear, in addition to the requirement of two items.
- In extreme cases, you may request a photo of the applicant from the Department of Public Safety, OL Photos. Examples of extreme cases are when an applicant is the victim of a house fire or when all identification documents have been lost or stolen. In these cases, request the photo by e-mail or by calling OLPHOTOS. (Appendix D) Please include the full name of the applicant and their license or identification number, as well as the SSN and DOB, if available.

**NOTE:** Rent receipts, credit cards, and similar type documents are not to be used as proof of identity for issuance of an *original* driver license or ID card. They may be used for issuance of a duplicate OL or ID as a **last resort** and in conjunction with the ALVIN record.

**LOST OUT-OF-STATE LICENSE/PERMIT REQUIREMENTS:**

- Furnish documentary proof of his/her identity and date of birth, the same as for an original license.
- Obtain verification of their license status from the state the applicant is currently licensed in.
- A PDPS check is required to verify eligibility.

**ALTERATIONS**

Any document that contains an alteration that changes the name, date of birth, or other pertinent information will not be accepted.

**FOREIGN DOCUMENTS**

Any primary or secondary document that is in a language other than English must be translated into English and must be accompanied by a Certificate of Accuracy of Translation by the person translating the document(s). DMV will accept the self-certification of anyone who certifies they have the competency to translate.

**STATE OF ALASKA  
DIVISION OF MOTOR VEHICLES  
CERTIFICATE OF ACCURACY OF TRANSLATION**

I, \_\_\_\_\_, attest to my competency to translate  
(NAME OF TRANSLATOR)

from \_\_\_\_\_ to English, and I certify I have translated the attached document.  
(FOREIGN LANGUAGE)

The attached translation is the correct English translation of all pertinent information from the original  
\_\_\_\_\_ for \_\_\_\_\_  
(DOCUMENT TYPE) (LEGAL NAME OF APPLICANT)

The following must be completed by the person who translated the document(s):

_____	_____
<small>PRINTED NAME</small>	<small>TELEPHONE NUMBER</small>
_____	
<small>ADDRESS</small>	
_____	_____
<small>SIGNATURE</small>	<small>DATE</small>

(8/2001) [www.state.ak.us/dmv/](http://www.state.ak.us/dmv/)

Cross Reference:

Appendix D - DMV Addresses

# Alaska State Legislature

**Chair**  
Military and Veterans Affairs Committee

**Vice-Chair**  
Labor and Commerce Committee

**Member**  
Resources Committee  
State Affairs Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
House Environmental Conservation  
House Military & Veterans' Affairs  
House Court System



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
District 31 Anchorage

**Session:**  
Alaska State Capitol  
Juneau, AK 99801-1182

Phone: (907) 465-4931  
Fax: (907) 465-4316  
Toll Free: (800) 870-4391

**Interim:**  
716 W. 4<sup>th</sup> Ave., #330  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207  
Representative\_Bob\_Lynn@legis.state.ak.us

April 8, 2003

To: Representative Jim Holm, Co-Chair  
Representative Bev Masek, Co-Chair  
House Transportation Committee

Fr: Representative Bob Lynn *BL*

Re: HB 40  
"An Act relating to issuance of a driver's license."

---

Thank you for scheduling HB 40 to be heard in the House Transportation Committee this Thursday. Attached is a copy of the Bill and a CS along with supporting documents.

# Alaska State Legislature

## Chair

Military and Veterans Affairs Committee

## Vice-Chair

Labor and Commerce Committee

## Member

Resources Committee  
State Affairs Committee  
Joint Armed Services Committee

## Finance Subcommittees

House Environmental Conservation  
House Military & Veterans' Affairs  
House Court System



A Communication From  
**REPRESENTATIVE BOB LYNN**  
District 31 Anchorage

A handwritten signature in black ink, appearing to be "Bob Lynn", written over a horizontal line.

Session:  
Alaska State Capitol  
Juneau, AK 99801-1182

Phone: (907) 465-4931  
Fax: (907) 465-4316  
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Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207  
Representative\_Bob\_Lynn@legis.state.ak.us

## SPONSOR STATEMENT HB 40 relating to Drivers' Licenses

A driver's license is a privilege, not a right. That's why Alaska has established minimum qualifications for a driver's license. That's why certain qualifications are mandated, such as a satisfactory score on written tests and driving tests, age, vision, etc. A state has a right to determine its own standards and qualifications. HB 40 merely adds a qualification that an alien must be legally in the United States to obtain an Alaska driver's license.

Passage of HB 40 will

1. Strengthen homeland security
2. Help establish legal residency
3. Help prevent voter fraud
4. Increase protection against identity theft
5. Increase public safety
6. Help maintain legal accountability

Nothing in the bill would act against the rights of any legal alien in Alaska.

### **HB 40 STRENGTHENS HOMELAND SECURITY:**

Homeland Security is critical in the post-9/11 era. Homeland Security is a top priority of the President of the United States, and the Governor of Alaska. Alaska has several potential targets of opportunity for terrorists.

When a terrorist has access to a legitimate Alaska driver's license, it becomes easier to disappear into a community and plan destruction of Alaska targets. This is an extremely dangerous variety of identity theft. According to US Representative Cass Ballenger (R-NC), "A driver's license or state identification card is an essential tool, used by illegal aliens" (some of whom may be terrorists) "to solidify their presence here and to move about freely. This is a clear threat to our safety and economic security

### **HB 40 HELPS DETERMINE LEGAL RESIDENCY:**

State residency is a legal requirement for an Alaska driver's license. Obviously, illegal aliens cannot be legal resident of any state, including Alaska. If Alaska provides illegal aliens with

driver's licenses, the state enables false appearance of legal residence to an illegal alien who is, by definition, ineligible for a license, as well as being a lawbreaker.

**HB 40 HELPS PREVENT VOTER FRAUD:**

An illegal alien with an Alaska driver's license, would enable a non-citizen of Alaska to register to vote under the Motor Voter Act. We should protect the integrity of our Alaska voter rolls.

**HB 40 HELPS PREVENT IDENTITY THEFT:**

State-issued driver's licenses have become the *de facto* primary identity document throughout Alaska and the United States. In fact, driver's licenses are so generally requested, for purposes unrelated to driving, that motor vehicle administrations also issue identity cards for non-drivers.

A significant problem is that driver's licenses are a "breeder document" that can provide access to many other documents, and facilitate "identity theft."

Driver's licenses commonly used to establish identity to law enforcement, employment, credit, and retail transactions. It's a sad irony that illegal aliens, who falsify identity documents, too often use those documents to prey on legal, law-abiding, aliens.

Once a person has obtained a driver's license or state identification card in one state, he can use it in any other state. Worse, a driver's license can easily be exchanged for a different state's license or identity card. An exchange is faster and requires much less documentation than a new issue.

**HB 40 ENHANCES PUBLIC SAFETY:**

One effect of granting driver's licenses to illegal aliens is to facilitate a larger number of persons on the road who are typically less experienced drivers, more often uninsured, and who are more likely to be hit-and-run drivers when they cause an accident.

**HB 40 AIDS LEGAL ACCOUNTABILITY:**

A proper driver's license helps establishes legal accountability when traffic laws are broken, or a motorist causes an accident - but when an illegal alien is identified as responsible for an accident, holding the driver accountable may be difficult if a false name and address on the driver's license.

**IN SUMMARY:**

HB 40 is needed to Help establish legal residency, help prevent voter fraud, strengthen homeland security, increase protection against identity theft, and to increase public safety.

**Your favorable vote on HB 40 is urged.**

Mara Kimmel

463-5659

Anchorage 279-5659

work 222-7313

(direct line)

## **AMENDMENT 1 TO HB 40**

The Department of Motor Vehicles shall cause Alaska driver's licenses, and state-issued identification cards issued to non-immigrant aliens, to expire at the end of the alien's lawful stay in the United States.

---

### **SPONSOR STATEMENT**

#### **FOR AMENDMENT 1 TO HB 40**

It is estimated that an estimated 40-percent of the 3 to 6 million illegal aliens who resided in the U.S. last year were admitted under a nonimmigrant visa and stayed in the U.S. after their lawful stay expired. By the time of the Sept. 11 attacks, the immigration papers for three of the hijackers had expired. They were here illegally in the eyes of the federal government.

According to the INS, three of the 19 hijackers were here illegally on expired visas, another six had no visas at all, and a few who were able to obtain valid visas were on U.S. intelligence agency watch lists. Homeland Defense Secretary Tom Ridge has stated that resident aliens driver's permits linked to their visas. For example, if an alien had a visa to visit the United States for six months, he or she would not be able to obtain a driver's permit that exceeded six months,

**FAX TO: REP. LYNN**  
**FROM: CHUCK HOSACK, DMV**  
**DATE: JAN 31, 2003**  
**SUBJECT: HB 40**  
**PAGES: 7 (INCLUDING COVER SHEET)**

Rep. Lynn

I enjoyed meeting you and discussing the issues of HB 40. I have attached 3 documents concerning HB 40 that we discussed yesterday. These documents are:

1. DMV Standard Operating Procedures (SOP) – (3 Pages)

These are the pages of the DMV manual that address acceptable documents for proof of identity and age. To obtain a license a person must have one document from the primary list and a second document from either the primary or secondary list. If a person is a legal alien, they would have to present one of the documents specified in #11 of the primary document list.

2. States with Legal Presence Laws – (1 Page)

This is a list of the states that already have Legal Presence laws compiled by a survey completed last year.

3. Pros/Cons of Legal Presence – (2 Pages)

This is an information sheet from DMV's national organization presenting both sides of the arguments for and against legal presence laws.

If you have any questions on any of this please let me know.

State of Alaska Division of Motor Vehicles Standard Operating Procedures	SOP No. D-20	Page No. 1 of 23
	Effective June 1, 2000	
Subject: <b>IDENTIFICATION AND PROOF OF DATE OF BIRTH</b>	Supersedes D-20	Dated 11/21/94
	Approved <i>Charles R. Hosack</i>	
Statute: AS 28.15.061	Regulation: 13 AAC 08.330(b)	Form No.

### ORIGINAL ALASKA DRIVER'S LICENSE or IDENTIFICATION CARD

Every person who makes an original application for a driver's license or permit must furnish documentary proof of his/her date of birth (See Primary Identification Documents) and at least one form of identification to verify his/her name (See Secondary Identification Documents). IF A PERSON HAS A VALID PHOTO DRIVER'S LICENSE ISSUED BY A STATE DMV, NO OTHER IDENTIFICATION IS REQUIRED.

CERTIFICATION BY CORRECTIONS, PROBATION OR ALASKA CHILDREN'S SERVICES IS NOT ACCEPTABLE.

### PRIMARY IDENTIFICATION DOCUMENTS

1. An original or certified copy of a United States or Canadian birth certificate. The certificate must have a raised seal and be issued by an authorized government agency such as the Bureau of Vital Statistics or State Board of Health. Hospital issued certificates and baptismal certificates are not acceptable.
2. Canadian Department of Indian Affairs issued identification card. (Tribal issued card is not acceptable. A U.S. issued Department of Indian Affairs card is not acceptable.)
3. Court order which must contain the individual's full name, date of birth and court seal. Some examples include an adoption document, a name change document, gender change document, etc. It does not include an abstract of criminal or civil conviction.
4. Drivers license/permit issued by a State/Canadian DMV. Cannot be expired over one year.
5. Identification card issued by a State or Canadian DMV. Cannot be expired over one year.
6. Microfilm/copy of a drivers license issued by a State or Canadian DMV, provided it has been certified by DMV.
7. Microfilm/copy of an identification card that has been certified by the issuing DMV.
8. Military identification card for active duty, retiree or reservist. (Service member only. Dependent military ID's are not acceptable as a primary document.)
9. Passport - U.S. or Canadian.
10. Report of Birth Abroad by a Citizen of the United States, issued by a U.S. consular officer.
11. The following Immigration and Naturalization Service (INS) documents are acceptable. The document must be an original and expired documents are unacceptable:
  - a) Certificate of Naturalization (N-550, N-570, or N-578)
  - b) Certificate of Citizenship (N-560, N-561, or N-645)
  - c) Northern Marianas Card
  - d) American Indian Card
  - e) United States Citizen Identification Card (I-179 or I-197)
  - f) Resident Alien Card or Permanent Resident Card (I-551)
  - g) Temporary Resident Card (I-688)
  - h) Arrival-Departure Record (In a valid foreign passport) (I-94)
  - i) Valid foreign passport containing an I-551 stamp
  - j) Re-entry Permit (I-327)
  - k) Refugee Travel Document (I-571)
  - l) Employment Authorization Card or Employment Authorization Document (I-688A, I-688B, or I-766)
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  - n) Canadian Immigration Record and Visa or Record of Landing (IMM 100).

State of Alaska Division of Motor Vehicles Standard Operating Procedures	SOP No. <b>D-20</b>	Page No. <b>2 of 3</b>
	Effective August 8, 2001	
Subject: <b>IDENTIFICATION AND PROOF OF DATE OF BIRTH</b>	Supersedes <b>D-20</b>	Dated <b>6/1/00</b>
	Approved <i>[Signature]</i>	
Statute: <b>AS 28.15.061</b>	Regulation: <b>13 AAC 08.330 (b)</b>	Form No.

### SECONDARY IDENTIFICATION DOCUMENTS

1. All primary documents
2. Bureau of Indian Affairs card or an Indian Treaty Card. (Some tribal cards are more reliable than the BIA card. DMV's can make their own determination.)
3. Driver license or ID card that has been expired over a year.
4. Court order that does not contain the applicant's date of birth.
5. Photographic employer identification card.
6. Foreign birth certificate.\*
7. Foreign passport.\*
8. Health insurance card [Blue Cross/Shield, Kaiser, Aetna, or a Health Maintenance Organization (HMO)].
9. Internal Revenue Service (IRS) or state tax form. A W-2 form is not acceptable.
10. Marriage license or certificate.
11. Individual's medical records from a doctor or a hospital.
12. Military dependent identification.
13. Military discharge or separation papers. (DD214)
14. Parent or guardian affidavit for minors, only. The parent or guardian must appear in person and prove their identity and submit a certified or notarized affidavit regarding the child's identity.
15. Gun permit.
16. Pilot's license.
17. Certified school record or transcript.
18. Social Security card (D-17). A metal card is not acceptable.
19. Photographic school identification card.
20. Vehicle title. A vehicle registration is not acceptable.
21. Welfare card.
22. Prison release document.

\*See the following page for further information on foreign documents.

### LOST ALASKA DRIVER LICENSE/PERMIT/I.D. CARD REQUIREMENTS:

- Two items from either the primary or secondary identification document list. In offices with ALVIN terminals the information on the computer may be used in place of one of the items provided the person can verify address, date of birth, place of birth, Social Security number and the physical description matches.
- Offices without computer terminals must contact a terminal office to verify that the status of the license is clear, in addition to the requirement of two items.
- In extreme cases, you may request a photo of the applicant from the Department of Public Safety, OL Photos. Examples of extreme cases are when an applicant is the victim of a house fire or when **all** identification documents have been lost or stolen. In these cases, request the photo by e-mail (olphotos@dps.state.ak.us) or call 269-5741. Please include the full name of the applicant and their license or identification number, as well as the SSN and DOB, if available.

**NOTE:** Rent receipts, credit cards, and similar type documents are not to be used as proof of identity for issuance of an **original** driver license or ID card. They may be used for issuance of a duplicate OL or ID as a **last resort** and in conjunction with the ALVIN record.

State of Alaska Division of Motor Vehicles Standard Operating Procedures		SOP No. D-20	Page No. 3 of 3
		Effective August 8, 2001	
Subject:		Supersedes NEW	Dated
IDENTIFICATION AND PROOF OF DATE OF BIRTH		Approved <i>Mary Marshall</i>	
Statute: AS 28.15.061	Regulation: 13 AAC 08.330 (b)	Form No.	

**LOST OUT-OF-STATE LICENSE/PERMIT REQUIREMENTS:**

- Furnish documentary proof of his/her identity and date of birth, the same as for an original license.
- Obtain verification of their license status from the state the applicant is currently licensed in.
- A PDPS check is required to verify eligibility.

**ALTERATIONS**

Any document that contains an alteration that changes the name, date of birth, or other pertinent information will not be accepted.

**FOREIGN DOCUMENTS**

Any primary or secondary document that is in a language other than English must be translated into English and must be accompanied by a Certificate of Accuracy of Translation by the person translating the document(s). DMV will accept the self-certification of anyone who certifies they have the competency to translate.

STATE OF ALASKA DIVISION OF MOTOR VEHICLES CERTIFICATE OF ACCURACY OF TRANSLATION	
I, _____, attest to my competency to translate	
(NAME OF TRANSLATOR)	
from _____	to English, and I certify I have translated the attached document.
(FOREIGN LANGUAGE)	
The attached translation is the correct English translation of all pertinent information from the original	
_____	for _____
(DOCUMENT TYPE) (LEGAL NAME OF APPLICANT)	
The following must be completed by the person who translated the document(s):	
PRINTED NAME _____	TELEPHONE NUMBER _____
ADDRESS _____	
SIGNATURE _____	DATE _____
(8/2001)	<a href="http://www.state.ak.us/dmv/">www.state.ak.us/dmv/</a>

States with Legal Presence Laws

Source: American Association of Motor Vehicle Administrators (AAMVA) Survey,  
March 2002

ALABAMA  
ARIZONA  
ARKANSAS  
CALIFORNIA  
COLORADO  
CONNECTICUT  
DELAWARE  
FLORIDA  
GEORGIA  
IDAHO  
KANSAS  
KENTUCKY  
LOUISIANA  
MAINE

MARYLAND  
MASSACHUSETTS  
MINNESOTA  
MISSISSIPPI  
MISSOURI  
NEW HAMPSHIRE  
NEW JERSEY  
NEW MEXICO  
NEW YORK  
SOUTH CAROLINA  
SOUTH DAKOTA  
WASHINGTON DC  
WYOMING

**Legal Presence and DL/ID – Should undocumented Immigrants be allowed to have a DL/ID?**

**Opinions in favor:**

- The highways will be safer if drivers are controlled (whether we like it or not, immigrants who are here illegally will drive, if for no other reason than to get to work); they should take knowledge and skills tests, obtain registrations and insurance, and be sanctioned and controlled to do what they will do anyway.
- From a law enforcement perspective, it would be beneficial to be able to identify and control the actions of the undocumented immigrants who are currently unlicensed.
- They are residents and most are here to stay (conservative estimates are that 8.5 million people in the U.S. are in this category). They play a large role in the economy (may obtain government Tax Numbers and pay taxes).
- A large black market exists for obtaining fraudulent breeder documents to falsify identity and their illegal status (given the opportunity to identify themselves and be licensed under their own names they would choose this option).
- Background security checks could be performed that would satisfy needs to prevent criminals/terrorists from obtaining documents. The plans are that CDL holders of HAZMAT endorsements will be checked for background histories. If we wanted criminal history checks on undocumented immigrants prior to licensing then laws/regulations/policies could be established to require this.
- It is possible to create a DL/ID document that would identify the immigrant as undocumented (if this was thought to be necessary). Of course, many individuals without legal status are not likely to volunteer this information for fear the immigration authorities will be notified. The "scarlet letter" status of a document thus identified could also be considered a profiling issue.
- Motor vehicle agencies are not the immigration authority. It becomes our problem if we choose to embrace it and debate it to a conclusion. It may be better to entertain a "don't ask, don't tell" policy.
- How will we deal with the existing undocumented immigrant population that currently exist on our driver license files and have been issued DL/IDs? Prior to the September 11<sup>th</sup> tragedy, we may have issued documents to individuals who were (at the time) in our jurisdictions legally. Since that time, they may have overstayed their legal status. Should we re-identify the entire DL/ID population to purge the legacy system of these undocumented individuals, or do we adopt a "day forward policy" and ignore this issue?

**Opinions against:**

- An undocumented immigrant will become "legalized" and be granted the illusion of citizenship by obtaining a DL/ID (the DL/ID is the most common form of identification in the US/Canada today – the "illegal" immigrants can put all other papers away if they are granted one of these documents).
- We should uphold the laws of the land. Ignoring the legal status of individuals seeking our documents, which we know will be used for identification purposes, puts us in a position of compromise.

- In order to obtain a SSN you must show proof of citizenship or lawful presence (most MVAs require SSN because of statutes - the relaxation of this requirement may undermine many other governments activities).
- National safety and security issues are at stake (this is a first line defense in preventing many types of crimes from underage drinking to potential terrorist activities - background checks on undocumented immigrants will be very difficult, if not impossible to obtain, especially at an MVA office).
- If a temporary license, or some sort of "second class" document with fewer security features were created for illegal immigrants it would lead to additional identification fraud (individuals "not illegal immigrants" would use such a less secure document to counterfeit/alter and it would serve as a target breeder document to obtain other forms of fraudulent identification).
- If we do not have a uniform/standard policy there will be "jurisdiction hopping" to obtain a document where requirements are more favorable/lax toward an undocumented immigrant (the chain is only as strong as the weakest link and reciprocity rules will be in question if every jurisdiction is doing something different).
- Law enforcement would have a difficult time knowing a "legal" from an "illegal" immigrant without some method of identification on the document or MVA record (this could be controversial in terms of creating a "second class" document or considered profiling if immigration groups were to argue for no formal recognition of the undocumented immigrant's status).
- The laws for driving without a license are not effective in preventing undocumented immigrants from driving without licenses (these laws should be strengthened to deter such actions, not the rules of identification and illegal immigration weakened to accommodate those who supposedly MUST break the laws to obtain the type of work they want to perform).

**Conclusions:**

We believe that our federal lawmakers must deal with this issue. It must not be left as a motor vehicle administration problem. Continuing different jurisdictional practices, perhaps in violation of our own laws, runs the risk of losing reciprocity agreements for driving and identification of individuals between jurisdictions and in the greater community.

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 40  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
 Title "An Act relating to issuance of a driver's BRU Criminal Division  
license." Component Criminal Justice Litigation  
 Sponsor Representative Lynn  
 Requester House Transportation Committee Component No. 2202

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

HB 40 prohibits the issuance of an Alaska driver's license to anyone who is not a resident of Alaska as defined by AS 01.10.055, and is not a citizen of the United States or a legal alien.

Passage of this legislation is not anticipated to have a fiscal impact on the Department of Law.

Prepared by: Joan M. Kasson Phone (907) 465-5370  
 Division: Attorney General's Office Date/Time 2/5/03 8:50 AM  
 Approved by: Kathryn Daughhetee for Gregg D. Renkes, Attorney General Date 2/5/2003  
 Agency: Department of Law

**HB**

**65**

# Alaska State Legislature

**Chair**

Military and Veterans Affairs Committee

**Vice-Chair**

Labor and Commerce Committee

**Member**

Resources Committee  
State Affairs Committee  
Joint Armed Services Committee

**Finance Subcommittees**

House Environmental Conservation  
House Military & Veterans' Affairs  
House Court System



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
District 31 Anchorage

**Session:**  
Alaska State Capitol  
Juneau, AK 99801-1182


Phone: (907) 465-4931  
Fax: (907) 465-4316  
Toll Free: (800) 870-4391

**Interim:**  
716 W. 4<sup>th</sup> Ave., #330  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207  
Representative\_Bob\_Lynn@legis.state.ak.us

April 29, 2003

To: Representative Jim Holm, Co-Chair  
Representative Bev Masek, Co-Chair  
House Transportation Committee

Fr: Representative Bob Lynn 

Re: HB 65 Importing Alcohol to Dry Villages

---

Thank you for scheduling HB 65 to be heard in the House Transportation Committee this Thursday. Attached is a copy of the Bill and a CS along with supporting documents.

# Alaska State Legislature

**Chair**  
Military and Veterans Affairs Committee

**Vice-Chair**  
Labor and Commerce Committee

**Member**  
Resources Committee  
State Affairs Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
House Environmental Conservation  
House Military & Veterans' Affairs  
House Court System



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
District 31 Anchorage

**Session:**  
Alaska State Capitol  
Juneau, AK 99801-1182

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716 W. 4<sup>th</sup> Ave., #330  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207  
[Representative\\_Bob\\_Lynn@legis.state.ak.us](mailto:Representative_Bob_Lynn@legis.state.ak.us)

## Sponsor Statement HB 65

Bootleg importation of alcoholic beverages into dry villages is a continuing problem not sufficiently remediated in law. Current law allows the **option** to confiscate a vehicle used in a bootleg act. The proposed legislation would make vehicle confiscation a **mandatory** act after due process of law.

As our Governor in his State of the State Address said, "If you bring liquor into a dry village, you can forfeit your airplane or snow machine." I'm proud that Governor Murkowski has made my bill one of his priority measures.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

23-LS0159\H  
Ford  
4/23/03

CS FOR HOUSE BILL NO. 65( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES LYNN, Croft, Cissna, Crawford, McGuire

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the perimeter of an established village for purposes of sale,  
2 importation, or possession of alcohol; and relating to forfeiture of a motor vehicle,  
3 airplane, or vessel for illegal transportation of alcohol."

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

5 \* Section 1. AS 04.11.508(b) is amended to read:

6 (b) If the perimeter of an established village determined under (a) of this  
7 section includes any area that is within a municipality or within the perimeter of  
8 another established village, the following restrictions apply in the overlapping  
9 area:

10 (1) if the municipality or the other established village has also  
11 adopted a local option under AS 04.11.491, the local option of the established  
12 village or municipality that is more restrictive applies in the overlapping area;

13 (2) if the municipality or the other established village has not  
14 adopted a local option under AS 04.11.491, the local option applies in the area

1        that overlaps the municipality or the other [THE PERIMETER DESCRIBED  
2        UNDER (a) OF THIS SECTION IS LIMITED TO AN AREA THAT INCLUDES  
3        ONLY THE] established village.

4        \* Sec. 2. AS 04.11.508(c) is amended to read:

5                (c) If the board determines that the perimeter of an established village as  
6        provided under (a) and (b) of this section does not accurately reflect the perimeter of  
7        the established village, the board may establish the perimeter of the established village  
8        and the areas of overlapping perimeter or boundaries described under (b) of this  
9        section for purposes of applying a local option selected under this chapter.

10       \* Sec. 3. AS 04.16.220(e) is amended to read:

11                (e) The owner of property subject to forfeiture under (a) and (i) of this section  
12        is entitled to relief from the forfeiture in the nature of remission of forfeiture if, in  
13        an action under (d) of this section, the owner shows that the owner was not a party to  
14        the violation, [AND] had no actual knowledge or reasonable cause to believe that the  
15        property was used or was to be used in violation of the law, and had no actual  
16        knowledge or reasonable cause to believe that the person committing the  
17        violation had a criminal record or reputation for violating this title.

18       \* Sec. 4. AS 04.16.220(f) is amended to read:

19                (f) A person other than the owner holding, or the assignee of, a lien, mortgage,  
20        conditional sales contract on, or the right to possession to property subject to forfeiture  
21        under (a) or (i) of this section is entitled to relief from the forfeiture in the nature of  
22        remission of the forfeiture if, in an action under (d) of this section, the person shows  
23        that the person was not a party to the violation subjecting the property to forfeiture,  
24        [AND] had no actual knowledge or reasonable cause to believe that the property was  
25        [USED OR WAS] to be used in violation of the law, and had no actual knowledge  
26        or reasonable cause to believe that the person committing the violation had a  
27        criminal record or reputation for violating this title.

28       \* Sec. 5. AS 04.16.220 is amended by adding new subsections to read:

29                (i) Upon conviction for a violation of AS 04.11.010 or 04.11.499, if an  
30        aircraft, vehicle, or watercraft is subject to forfeiture under (a) of this section, the court  
31        shall, subject to remission to innocent parties under this section,

- 1 (1) order the forfeiture of an aircraft to the state;
- 2 (2) order the forfeiture of a vehicle or watercraft if
- 3 (A) the defendant has a prior felony conviction for a violation
- 4 of AS 11.41 or a similar law in another jurisdiction;
- 5 (B) the defendant is on felony probation or parole;
- 6 (C) the defendant has a prior conviction for violating
- 7 AS 04.11.010 or 04.11.499; or
- 8 (D) the quantity of alcohol transported in violation of this title
- 9 was twice the presumptive amounts in AS 04.11.010(c).
- 10 (j) Notwithstanding (i) of this section, a court is not required to order the
- 11 forfeiture of a vehicle or watercraft if the court determines that
- 12 (1) the vehicle or watercraft is the sole means of transportation for a
- 13 family residing in a village;
- 14 (2) the court can impose conditions that will prevent the defendant's
- 15 use of the vehicle or watercraft; and
- 16 (3) either
- 17 (A) a member of the family would be entitled to remission
- 18 under this section if the family member were an owner of or held a security
- 19 interest in the vehicle or watercraft; or
- 20 (B) if a member of the family would not be entitled to
- 21 remission, the family member was unable as a practical matter to stop the
- 22 violation making the vehicle or watercraft subject to forfeiture.
- 23 (k) The title to an aircraft, vehicle, or watercraft forfeited to the state under
- 24 this section may be transferred by the state to a municipality or the local governing
- 25 body of a village for official use by the municipality or village if the aircraft, vehicle,
- 26 or watercraft will not be available for use by the defendant.
- 27 (l) In this section, "village" means a community of fewer than 1,000 persons
- 28 located off the interconnected state road system.

# FISCAL NOTE

STATE OF ALASKA  
2003 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB 65  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
Title "An Act relating to forfeiture of a motor vehicle, BRU Criminal Division  
airplane, or vessel for illegal transportation of alcohol." Component All  
Sponsor Representative Lynn  
Requester House Transportation Committee Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	*****	*****	*****	*****	*****	*****

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

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2003) cost: 0.0  
Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

HB 65 requires the state to seek forfeiture of an aircraft, vehicle, or vessel used to transport or facilitate the transportation of alcoholic beverages in violation of local option laws.

Most bootlegging offenses occur in rural Alaska, where an individual's vehicle may be their sole or primary source of transportation. Because of this, the department assumes many of these mandatory forfeitures will be contested, requiring more departmental resources be used to pursue them. However, we do not know the percentage of bootlegging cases that involve a vehicle subject to forfeiture under this bill, and cannot assign a fiscal impact.

Prepared by: Joan M. Kasson Phone (907) 465-5370  
Division: Attorney General's Office Date/Time 2/11/03 9:12 AM  
Approved by: Kathryn Daughhetee for Gregg D. Renkes, Attorney General Date 2/11/2003  
Agency: Department of Law

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Web posted Friday, April 4, 2003

## Governor takes 'tough on crime' position

*Measure would reduce plea bargaining and lengthen sentences*

By **MIKE CHAMBERS**  
 THE ASSOCIATED PRESS

Gov. Frank Murkowski outlined a crime package Thursday that calls for fewer plea bargains for child predators, a crackdown on bootleggers, and tightening the state self-defense laws.

"We want the criminals to get the message that they will be prosecuted to the full extent of the law. We're through fooling around in this state," Murkowski said.

The Republican governor is introducing legislation to lengthen sentences for multiple crimes, make it more difficult to claim self-defense, change immunity rules, and allow courts to consider prior convictions during trials.

Murkowski also endorsed GOP bills before the Legislature this session to threaten bootleggers with forfeiture, make Medicaid fraud easier to prosecute, and expand the state's DNA database.

- Print this
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- Send Editor Comment

The governor threw his support behind bills that revoke driver's licenses for some fatal crashes, crack down on Internet harassment, and create an electronic database for pawn-shop items.

Attorney General Gregg Renkes also plans to issue a directive to state prosecutors that no plea bargains will be offered in cases of child sexual assault without his approval, he said.

Each year, state prosecutors handle about 150 such cases and there have been complaints that too many end in plea bargains, Renkes said.

Often factors such as overcrowded prisons or the cost of locking people up can affect decisions on individual cases, Renkes said.

"When it comes to protecting children, we just aren't going to let these other considerations cloud our judgment or affect our decisions," Renkes said.

Sen. Hollis French, an Anchorage Democrat, is a former prosecutor. He said the assistant attorney general for the criminal division already reviewed plea agreements in which a sex crime would be reduced to a non-sex crime.

CALENDAR							April						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4	5						
6	7	8	9	10	11	12							
13	14	15	16	17	18	19							
20	21	22	23	24	25	26							
27	28	29	30										

In addition, prosecutors feel pressure to reduce high caseloads, and victims frequently are willing to settle to avoid the cost and stress of a trial, French said.

"He's going to have his hands full," French said.

The state Department of Law also is pursuing federal funding to step up prosecutive efforts in rural Alaska and in cases of domestic violence and sexual assault.

A \$2.4 million grant would allow the state to create a rural prosecution unit in Anchorage to assist district attorneys in Bush Alaska, Renkes said.

A \$4.4 million grant would allow the state to create special domestic violence and sexual-assault prosecution units in Anchorage, Palmer, Kenai and Fairbanks, he said.

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MAR 03 2003



*Kristofer Gee*

---

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United States  
Phone: 907-882-2755  
Email: [kgce\\_87@hotmail.com](mailto:kgce_87@hotmail.com)

February 17, 2003  
Representative Bob Lynn  
State Capitol,  
Juneau, AK 99801-1182

Dear Representative Lynn,

My name is Kristofer Charles Gee. I am a Sophmore that attends Dot Lake School in Alaska. In class I am to find two House or Senate Bills to follow and to see if they make it to become a law. One of the Bills that I am following is House Bill 65 which states "An Act Relating to forfeiture of a motor vehicle, airplane, or vessel for illegal transportation of alcohol." I think that this bill is a really great bill and I believe that this bill would be a very powerful law because the village that I live in is a dry village. But people still bring in alcohol. If they begin to lose their vehicles, maybe they will begin to stop drinking. Thank you for your time.

Sincerely,  
*Kristofer Gee*  
Kristofer Gee

APR 29 2003



## Alaska Association of Chiefs of Police

April 29, 2003

To Whom It May Concern:

On behalf of the Alaska Association of Chiefs of Police (AACOP), I would like to express support for House Bill 65, an act relating to the perimeter of an established village for the purpose of sale, importation, or possession of alcohol; and relating to forfeiture of a motor vehicle, airplane, or vessel for illegal transportation of alcohol. I very much appreciate your introduction of this bill before the twenty-third Alaska Legislature.

For years some of our villages have chosen to make strong efforts to eliminate the importation and the use of alcohol in their communities. They along with law enforcement statewide know that most of the illegal activities we deal with are alcohol related. Villages who have adopted and exercised the local option have found it frustrating with enforcement of the law due to illegal alcohol imports that still occur. House Bill 65 creates even more deterrence for someone who is contemplating importation of alcohol into a "dry village".

I strongly urge you to support the passage of HB 65

Sincerely,

Chief Thomas Clemons  
President Alaska Association of Chiefs of Police

## SECTIONAL ANALYSIS

### CSHB 65

Sections 1 and 2 would repair an omission in the law regarding the boundaries of local option communities. Current law provides that a local option adopted by a village covers an area within a five-mile radius from the post office of the village. However, if this perimeter includes area in another village or municipality, the local option only applies in the village. If two neighboring villages both have local options and their perimeters overlap, the local options of both shrink to the established village, leaving the area between the two with no local option in force. Section 1 of the bill provides that in these circumstances the five-mile radius still applies, and the area in the overlapping perimeters would be governed by the more restrictive local option. Section 2 of the bill allows the ABC Board, which already has authority to adjust boundaries to accurately reflect the perimeter of an established village, to make adjustments to accurately describe the overlapping perimeters or boundaries.

Sections 3-5 amend the forfeiture provisions for certain violations of AS 04. Sections 3 and 4 would change the circumstances under which an owner or lien holder of forfeited property could obtain remission (return of the value of the owner or lien holder's interest in the forfeited property). Under current law, an owner or lien holder may obtain relief from the forfeiture by showing that the owner or lien holder had no actual knowledge that the forfeited property was to be used in violation of the law. Under the bill, an owner or lien holder would also have to establish that he or she had no reasonable cause to believe the property would be used in violation of the law, and had no actual knowledge or reasonable cause to believe that the person who used the property to violate the law had a criminal record or reputation for violating AS 04.

Section 5 would require the forfeiture of aircraft subject to forfeiture for violation of certain provisions of AS 04, subject to remission as discussed above. With some exceptions discussed below and subject to remission, a vehicle or watercraft must be forfeited if (1) the defendant has a prior conviction for a felony against a person; (2) the defendant is on felony probation or parole; (3) the defendant has a prior conviction for violating AS 04.11.010 or 04.11.499; or (4) the quantity of alcohol transported illegally was twice the level presumed to be for sale under AS 04.11.010(c).

The bill does not require the forfeiture of a vehicle or watercraft if the court finds (1) the vehicle or watercraft is the only means of transportation for a village family; (2) the court can impose conditions to prevent the defendant's use of the vehicle or watercraft; and (3) either a family member would be entitled to remission if the member were an owner, or the family member was unable to stop the violation that made the vehicle or watercraft subject to forfeiture.

The bill would allow the state to transfer a forfeited aircraft, vehicle, or watercraft to a municipality or governing body of a village for official use, as long as the defendant would not, as a result of the transfer, have use of it.

# FISCAL NOTE

STATE OF ALASKA  
2003 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB 65  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
Title "An Act relating to forfeiture of a motor vehicle, BRU Criminal Division  
airplane, or vessel for illegal transportation of alcohol." Component All  
Sponsor Representative Lynn  
Requester House Transportation Committee Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	*****	*****	*****	*****	*****	*****

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2003) cost: 0.0  
Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

HB 65 requires the state to seek forfeiture of an aircraft, vehicle, or vessel used to transport or facilitate the transportation of alcoholic beverages in violation of local option laws.

Most bootlegging offenses occur in rural Alaska, where an individual's vehicle may be their sole or primary source of transportation. Because of this, the department assumes many of these mandatory forfeitures will be contested, requiring more departmental resources be used to pursue them. However, we do not know the percentage of bootlegging cases that involve a vehicle subject to forfeiture under this bill, and cannot assign a fiscal impact.

Prepared by: Joan M. Kasson Phone (907) 465-5370  
Division Attorney General's Office Date/Time 2/11/03 9:12 AM  
Approved by: Kathryn Daughhete for Gregg D. Renkes, Attorney General Date 2/11/2003  
Agency Department of Law

HB

67

STATE OF ALASKA  
HOUSE OF REPRESENTATIVES

# Representative Jim Holm



119 N. Cushman  
Fairbanks, AK 99701  
TEL 456-7423, FAX 451-9293

House District 9

State Capitol  
Juneau, AK 99801  
TEL 465-3466, FAX 465-2937

## Sponsor Statement House Bill 67

*"An Act relating to construction of highways by the Department of Transportation and Public Facilities."*

Alaska statute requires that construction and maintenance contracts be awarded to the private sector on the basis of competitive bid.

However, statute also allows the state to fund small projects or repairs in-house through a "force account," meaning the state uses its own forces to accomplish the work.

To date, force account spending by DOT-PF has been frequently used to fund projects costing considerably more than \$250,000. Not only has this taken these dollars out of the private sector, it also omits the check and balance oversight and transparency of the competitive bid process.

House Bill 67 was introduced to insure that state force accounts are still allowed for smaller jobs while requiring that projects over \$250,000 utilize private contractors in the competitive bid process. Private contractors not only maintain an inventory of specialized equipment and employ skilled managers, but they assume risk-costs, thus providing the state with considerable savings.

Revised 2/19/3

# FISCAL NOTE

STATE OF ALASKA  
2003 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB 67  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): 2/18/03 Dept. Affected: DOT&PF  
Title Construction of Highways by DOT&PF BRU Construction and CIP Support  
Component All Regional Components  
Sponsor Holm  
Requester H TRA Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

<b>CHANGE IN REVENUES ( )</b>						
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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 (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

If approved, HB 67 would prohibit the department from using state forces to construct (Force Account Construction or FAC) highway projects if the value of the project was greater than \$250,000. The majority of projects that are considered for force account construction are federally funded. Federal provisions require that prior to approval of a force account project, the state must determine that this method will result in cost savings.

Since it is not possible to determine which projects will be considered for FAC over the next six years, we will base the projected savings on Calendar Year 2002. The estimated savings on 2002 force account projects (greater than \$250,000) was \$4,267,700. Assuming the amount of force account projects remains constant over the next six years, the lost savings would total \$25,606,200

Prepared by: Dennis R. Poshard Phone 465-3904  
Division: Special Assistant to Commissioner Date/Time 2/19/03 9:45 AM  
Approved by: Acting Commissioner Mike Barton Date 2/19/2003  
Agency: Alaska Department of Transportation and Public Facilities



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February 18, 2003

Representative Holm, Co-Chair  
Representative Masek, Co-Chair  
Transportation Committee  
State Capitol, Room 101  
Juneau, AK 99801

Re: HB 67

Dear Representatives,

The AML Public Works and Infrastructure Subcommittee reviewed HB 67 and recommends against its adoption.

This summer a number of public and private organizations worked on a compromise that took into consideration all of the aspects of this complex issue. The result is Administrative Order 199. I believe that all of the public and private groups involved in the discussions support working with new procedures.

Sincerely

Kevin Ritchie  
Executive Director



## Position Paper on Force Account Construction

ABC Alaska believes in a system of free enterprise and open competition. This premise is generally embraced by the State of Alaska as evidenced by the language existing in Alaska Statutes AS 19.10.170 and AS 35.15.010 which state it is the general policy of the state to require construction under bid contract in accordance with the state procurement code. Additionally, Alaska Statutes require: *"A contractor or subcontractor who performs work on public construction in the state, as defined by AS 36.95.010, shall pay not less than the current prevailing rate of wages for work of a similar nature in the region in which the work is done."*

The intent of the Legislature is clear: public works ought regularly to be constructed in compliance with state procurement code and shall be regulated by "Little Davis Bacon" laws establishing prevailing wage rates. Force Account Construction by the state subverts this intent, bypassing the competitive bid process inherent in the state procurement code and hiring its own forces to complete construction work at sub-standard wages.

The two compelling arguments for Force Account Construction are cost savings and local hire. The cost savings are claimed by reduced labor costs and by the fact that the state does not have to make a profit. The payment of lower than prevailing wage has been used as the justification for avoiding federal procurement law by citing reduced project costs. In effect, the state is paying sub-standard construction wages on government work, eliminating opportunities for private sector employers who would be required to conform to federal Davis-Bacon or Little Davis Bacon regulations on that same work. In short, this practice places the state in direct competition with private sector employers, a practice in direct conflict with privatization goals that have been expressed by the legislature over the past several years.

It may be argued that the published prevailing wage does not reflect local conditions. If this is the case, there is a mechanism in place to address the variation. 8 AAC 30.050 states *"A region may be subdivided into zones if the commissioner determines that the prevailing wage rate has local variations within the region..."* and *"Special prevailing wage rate determinations may be requested for special projects or special worker classifications, if the work to be performed does not conform to traditional public construction for which a prevailing wage rate has been established under (a) of this section."* This would be in keeping with the intent of the Legislature and also protect the rights of the workers.

The contention that the state does not have to make a profit and therefore can operate at a lower cost is also misleading. While the state may not include a risk factor in its estimate, risk is still there. Delays and cost overruns will be borne solely by the state. Under bid contract, these risks and costs are borne by the contractor. The state will have no incentive for cost control and innovation as is routine in the competitive bid process. The notion that the State can compete with private industry on a level playing field is highly questionable and again flies directly in the face of the state privatization goal!

The local hire issue is also compelling and should not be ignored. Again, local residents are best served by a level playing field. Providing an accurate prevailing wage and including "helpers" in the job classifications will allow local residents the best opportunity to compete in the marketplace.

Senate Bill No. 40 and House Bill No. 67 will help limit the State's ability to engage in force account construction. The same language should be added to AS 44.33.300 and we, as a community, should then focus our efforts on improving the implementation of existing prevailing wage regulations to provide opportunities for local hire in a free and open competitive bidding environment.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

## St. Mary's Airport Road Rehabilitation Final Completion Summary Report

During the summers of 2001 and 2002, work was conducted to rehabilitate the St. Mary's Airport Road. The job consisted of rehabilitating approximately 8.1 kilometers of access road from the St. Mary's Airport to the post office in the City of St. Mary's. The existing road was reconstructed to provide a two-lane road 7.2 meters from shoulder to shoulder. A surface course was placed on the road to finish the project. Alaska Department of Transportation and Public Facilities' (ADOT) employees were used in completing the project by Force Account. Total cost of the project was \$2,470,000.

Work during the summer of 2001 included clearing, excavating and removing inappropriate material, placing pipe, and the placing of base and sub-base courses. Work extended from May 1 through the end of September and was conducted by local residents of St. Mary's, who were hired as temporary state employees.

To complete the work in 2001, 17 local residents were hired. Over the summer they worked a total of 9,618 hours, of which 2,847 hours were overtime. Total payroll for these employees was \$259,067. Training was provided for 13 of these employees through the Alaska Vocational Technical Center for obtaining Commercial Drivers Licenses. All of these obtained their CDL's through this process. Jobs by these employees included operating CAT Loaders, CAT Dozers, Dump Trucks and Rock Trucks. DOT foreman duties, administration and materials testing costs during this time period accounted for \$232,200.

Through a Memorandum of Understanding between the City of St. Mary's and the ADOT, St. Mary's provided equipment, mechanic/oiler services and fuel for the project. Through this memorandum, the City of St. Mary's was paid \$449,600 for equipment, \$103,630 for fuel and \$40,820 for mechanic/oiler services. Equipment used through the Memorandum of Understanding was new to the community and was retained by them after the project was finished. In addition, the City of St. Mary's received \$415,000 for aggregate that was taken from the city aggregate source.

Work during the summer of 2002 consisted of clearing, embankment construction and stabilization, grade raises, placing surface course and calcium chloride, installing delineators and reconditioning the borrow pits. The Maintenance and Operations Department of ADOT managed this phase of the project, due to their expertise in doing high float surfacing. However, it turned out that acceptable aggregate for conducting high float operations could not be produced on site and was too expensive to barge in to the project. Instead, surface material available was placed and conditioned in place, with calcium chloride applied as a binder/dust suppressant.

From May 31, 2002 through January 15, 2003, seven local residents were hired under M & O's management. Over the summer they worked a total of 1,027.50 hours of regular time, 545 hours of overtime and 200 hours of double time for a total of 1,772.5 hours. With M & O overhead and foreman personnel included, the total payroll for these

employees was \$100,331.45. Construction personnel charged an additional \$11,861.91 to the project over the same time period.

During the summer of 2002, the City of St. Mary's provided the following fuel, equipment, mechanic and oiler services and aggregate. Fuel charges from the City of St. Mary's totaled \$13,817.22. Equipment charges from the City of St. Mary's totaled \$84,427.85. Oiler and mechanic services that were provided totaled \$7,000.00. Aggregate purchases totaled \$309,307.25 including a \$500 gravel road access fee.

# DOT&PF FORCE ACCOUNT REPORT

By Calendar Year - Dollar Amounts are in Thousands

**Labor** = The "Labor" column includes State owned equipment charges. And, where applicable, it includes small contracts let to entities that supplemented State Force Account work.

**Other** = Material, rental equipment, etc. costs are shown in the "Other" column. Where only an estimated overall cost was available, the cost was placed solely in the "Labor" column. This results in an inflated estimate of the Labor costs associated with Force Account projects.

## 1998

Number	Name	M&O	Local Agency	Village Safe Water	Labor \$	Other \$
001	NR NHS Road Pave & Bridge Refurb	X			1,764.0	1,386.0
002	CE NHS Crack Sealing & Bridge Repair	X			670.0	249.3
003	KTN-Cent Bus Dist Sidewalk Imp.		X		134.5	70.3
004	NR Surface Maintenance & Bridge Rehab.	X			1,064.0	
005	Selawik Boardwalk Improvements		X		75.0	310.0
006	Rural Ak. Sanitation Rds.-Chignik Lagoon			X	350.0	450.0
007	SE Gold Rush Centennial Enhancements	X			20.2	7.0
008	SE NHS/Non Pave & Bridge Refurb.	X			500.0	
009	Kongiginak Sanitation Boardwalk			X	250.0	450.0
010	SE Jnu-Hazard Elimination	X			48.7	
011	KTN-Waterfront Promenade		X		82.2	17.5
<b>Totals</b>					<b>\$ 4,958.6</b>	<b>\$ 2,940.1</b>

Total dollars committed to surface transportation funding for 1998 was \$ 406.3 million.

1998 FA work performed = 1.94 % of the total surface transportation program

**\$ 7,898.7**

## 1999

001	NR FFY 99 NHS Prev. Maint. & Repairs	X			2,000.0	1,850.0
002	CE Bridge Maint/Repair FY 99	X			284.3	74.8
003	NR FFY 99 Non-NHS Maint. & Repairs	X			836.0	1,064.0
004	CE Crack Seal Program FY 99	X			643.4	224.3
005	SE NHS Pavement Rehab.	X			147.0	653.0
006	CE Asphalt Pave. Surface Refurb. FY 99	X			383.9	399.6
007	Force Account (AMHS) Wireless Com.	X			33.4	135.6
008	SE Non-NHS Pave. Rehab. FY 99	X			600.0	
009	NR Dalton Hwy. Erosion Control	X			15.3	102.7
010	NR Surface Treatment. Brenwick/Craig	X			73.6	129.4
011	CE FY 99, Non-NHS Fed. Crack Seal Pro.	X			200.4	69.3
<b>Totals</b>					<b>\$ 5,217.3</b>	<b>\$ 4,702.7</b>

Total dollars committed to surface transportation funding for 1999 was \$ 524.0 million.

1999 FA work performed = 1.89 % of the total surface transportation program

**\$ 9,920.0**

## 2000

001	NR FFY 00 NHS M&O Prev. Maint.	X			2,215.6	1,604.4
002	NR FFY 00 CTP M&O Prev. Maint.	X			1,725.5	1,249.5
003	CE: FY 00 Central Region Crack Seal Crew	X			704.3	189.4
004	SE Non-NHS Pavement Rehab. (FFY00)	X			256.7	576.1
005	SE Road Surface Treatment (FFY00)	X			253.6	552.4
006	CE: Interstate Maint. & Bridge Repair FY00	X			260.4	139.3
007	Proj. #66740, Russian Mission AWOS Pad		X		47.2	
008	Proj. #66740, Russian Mission Airport Clearing		X		122.0	
009	CE: Bridge Maint./Repair Non-NHS FY 00	X			278.0	121.5
010	CE: Cascade Shop Reconstruction	X			82.0	230.0
011	SE Haines-Lutak Rd. Storm Drain	X			207.0	
012	Chefornak Sanitation Boardwalk			X	262.2	1,117.8
013	CE: FY00 Non-NHS Fed. Crack Seal Pro.	X			580.6	227.8
014	SE Haines-Chilkat Lake Rd.	X			310.0	190.0
015	SE Skagway-Taiva River Erosion Control	X			90.0	
016	Married Man's Trail Lighting		X		40.6	22.1
017	St. Mary's Airport Rd. Rehab.	X			1,205.6	1,793.9
018	SE Wrangell Airport Control Reg. Shelter	X			11.9	
019	Nunapitchuk Sanitation Boardwalk			X	399.0	1,701.0
<b>Totals</b>					<b>\$ 9,052.2</b>	<b>\$ 9,715.2</b>

Total dollars committed to surface transportation funding for 2000 was \$ 463.8 million.

2000 FA work performed = 4.05 % of the total surface transportation program

**\$ 18,767.4**

### 2001

001	NR FFY 01 M&O Preventive Maintenance	X			7,150.0	
002	CE: FY 01 Non-NHS Fed. Crack Sealing Prog.	X			339.4	86.5
003	NR FFY 01 CTP Pavement Markings	X			7.3	43.3
004	South Naknek Airport Repairs		X	-	30.0	15.0
005	CE: Bridge Maint./Repair NHS FY 01	X			325.5	35.6
006	Kwigillingok Sanitation Road		X		764.2	2,235.8
007	Cordova Sidewalks Asbestos Removal	X			14.2	2.7
008	CE: Bridge Maint./Repair Non-NHS FY 01	X			373.6	74.0
009	CE: FY 02 NHS Crackseal IPM	X			701.1	210.6
010	CE: FY 02 Non-NHS Crackseal Program	X			670.6	185.6
<b>Totals</b>					<b>\$ 10,375.9</b>	<b>\$ 2,889.1</b>

Total dollars committed to surface transportation funding for 2001 was \$ 429.0 million.

2001 FA work performed = 3.09 % of the total surface transportation program

**\$ 13,265.0**

### 2002

001	NR FFY 02 M&O Preventative Maintenance	X			8,860.0	
002	SE Region Road Surface Treatment	X			527.0	
003	Dalton Hwy. Painted Traffic Markings	X			113.6	61.4
004	CR Bridge M& R, NHS FY '02	X			118.5	200.0
005	Soldotna: East Redoubt Ave., Improvements		X		633.0	
006	Statewide Emergency Sign & Traffic Signals	X	X		430.0	
007	Northern Region Winter Trail Marking		X		182.8	111.0
008	King Cove Lagoon Bridge		X			5.0
<b>Totals</b>					<b>\$ 10,864.9</b>	<b>\$ 377.4</b>

Total dollars committed to surface transportation funding for 2002 was \$ 457.0 million.

2002 FA work performed = 2.46 % of the total surface transportation program

**\$ 11,242.3**

# Alaska Department of Transportation and Public Facilities

## Highway Construction Program 1995 - Present

	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>TOTAL</u>	<u>Average</u>	<u>% Construction (Hwy)</u>
<b>Central Region</b>											
Construction (Hwy)	\$ 68,382,000	\$ 99,206,000	\$ 58,099,000	\$ 71,906,100	\$ 94,455,270	\$ 136,331,200	\$ 165,360,260	\$ 172,035,553	\$ 865,775,383	\$ 108,221,923	74%
Highway (all phases)	\$ 90,460,000	\$ 122,887,000	\$ 81,513,481	\$ 97,679,900	\$ 160,313,000	\$ 180,015,700	\$ 213,973,100	\$ 221,485,000	\$ 1,168,327,181	\$ 146,040,898	
	<u>\$ 90,460,000</u>	<u>\$ 122,887,000</u>	<u>\$ 81,513,481</u>	<u>\$ 97,679,900</u>	<u>\$ 160,313,000</u>	<u>\$ 180,015,700</u>	<u>\$ 213,973,100</u>	<u>\$ 221,485,000</u>	<u>\$ 1,168,327,181</u>	<u>\$ 146,040,898</u>	
<b>Northern Region</b>											
Construction (Hwy)	\$ 53,306,994	\$ 42,311,837	\$ 32,724,394	\$ 40,860,859	\$ 57,735,990	\$ 59,252,627	\$ 39,337,815	\$ 87,135,850	\$ 412,666,366	\$ 51,583,296	78%
Highway (all phases)	\$ 66,969,508	\$ 50,614,838	\$ 39,950,498	\$ 56,380,284	\$ 77,494,601	\$ 69,877,620	\$ 54,485,489	\$ 110,266,597	\$ 526,039,435	\$ 65,754,929	
	<u>\$ 66,969,508</u>	<u>\$ 50,614,838</u>	<u>\$ 39,950,498</u>	<u>\$ 56,380,284</u>	<u>\$ 77,494,601</u>	<u>\$ 69,877,620</u>	<u>\$ 54,485,489</u>	<u>\$ 110,266,597</u>	<u>\$ 526,039,435</u>	<u>\$ 65,754,929</u>	
<b>Southeast Region</b>											
Construction (Hwy)	\$ 43,755,520	\$ 22,190,063	\$ 59,939,310	\$ 38,548,767	\$ 56,496,497	\$ 40,336,995	\$ 37,691,828	\$ 92,745,003	\$ 391,703,989	\$ 48,962,909	78%
Highway (all phases)	\$ 50,285,628	\$ 30,199,332	\$ 55,457,881	\$ 52,465,442	\$ 85,162,179	\$ 55,869,169	\$ 60,918,666	\$ 112,345,051	\$ 502,703,348	\$ 62,837,919	
	<u>\$ 50,285,628</u>	<u>\$ 30,199,332</u>	<u>\$ 55,457,881</u>	<u>\$ 52,465,442</u>	<u>\$ 85,162,179</u>	<u>\$ 55,869,169</u>	<u>\$ 60,918,666</u>	<u>\$ 112,345,051</u>	<u>\$ 502,703,348</u>	<u>\$ 62,837,919</u>	
<b>TOTAL</b>											
Construction (Hwy)	\$ 165,444,514	\$ 163,707,900	\$ 150,762,704	\$ 151,315,726	\$ 208,687,757	\$ 235,920,822	\$ 242,389,903	\$ 351,916,412	\$ 1,670,145,738	\$ 208,768,217	76%
Highway (all phases)	\$ 207,715,136	\$ 203,701,170	\$ 176,921,860	\$ 206,525,626	\$ 322,969,780	\$ 305,762,489	\$ 329,377,255	\$ 444,096,648	\$ 2,197,069,964	\$ 274,633,746	
	<u>\$ 207,715,136</u>	<u>\$ 203,701,170</u>	<u>\$ 176,921,860</u>	<u>\$ 206,525,626</u>	<u>\$ 322,969,780</u>	<u>\$ 305,762,489</u>	<u>\$ 329,377,255</u>	<u>\$ 444,096,648</u>	<u>\$ 2,197,069,964</u>	<u>\$ 274,633,746</u>	
% Construction (Hwy)	80%	80%	85%	73%	65%	77%	74%	79%		76%	

Construction (Hwy) = Phase 4 Obligated

Figures do not include state match.



## Position Paper on Force Account Construction

ABC Alaska believes in a system of free enterprise and open competition. This premise is generally embraced by the State of Alaska as evidenced by the language existing in Alaska Statutes AS 19.10.170 and AS 35.15.010 which state it is the general policy of the state to require construction under bid contract in accordance with the state procurement code. Additionally, Alaska Statutes require: "*A contractor or subcontractor who performs work on public construction in the state, as defined by AS 36.95.010, shall pay not less than the current prevailing rate of wages for work of a similar nature in the region in which the work is done.*"

The intent of the Legislature is clear: public works ought regularly to be constructed in compliance with state procurement code and shall be regulated by "Little Davis Bacon" laws establishing prevailing wage rates. Force Account Construction by the state subverts this intent, bypassing the competitive bid process inherent in the state procurement code and hiring its own forces to complete construction work at sub-standard wages.

The two compelling arguments for Force Account Construction are cost savings and local hire. The cost savings are claimed by reduced labor costs and by the fact that the state does not have to make a profit. The payment of lower than prevailing wage has been used as the justification for avoiding federal procurement law by citing reduced project costs. In effect, the state is paying sub-standard construction wages on government work, eliminating opportunities for private sector employers who would be required to conform to federal Davis-Bacon or Little Davis Bacon regulations on that same work. In short, this practice places the state in direct competition with private sector employers, a practice in direct conflict with privatization goals that have been expressed by the legislature over the past several years.

It may be argued that the published prevailing wage does not reflect local conditions. If this is the case, there is a mechanism in place to address the variation. 8 AAC 30.050 states "*A region may be subdivided into zones if the commissioner determines that the prevailing wage rate has local variations within the region...*" and "*Special prevailing wage rate determinations may be requested for special projects or special worker classifications, if the work to be performed does not conform to traditional public construction for which a prevailing wage rate has been established under (a) of this section.*" This would be in keeping with the intent of the Legislature and also protect the rights of the workers.

The contention that the state does not have to make a profit and therefore can operate at a lower cost is also misleading. While the state may not include a risk factor in its estimate, risk is still there. Delays and cost overruns will be borne solely by the state. Under bid contract, these risks and costs are borne by the contractor. The state will have no incentive for cost control and innovation as is routine in the competitive bid process. The notion that the State can compete with private industry on a level playing field is highly questionable and again flies directly in the face of the state privatization goal.

The local hire issue is also compelling and should not be ignored. Again, local residents are best served by a level playing field. Providing an accurate prevailing wage and including "helpers" in the job classifications will allow local residents the best opportunity to compete in the marketplace.

Senate Bill No. 40 and House Bill No. 67 will help limit the State's ability to engage in force account construction. The same language should be added to AS 44.33.300 and we, as a community, should then focus our efforts on improving the implementation of existing prevailing wage regulations to provide opportunities for local hire in a free and open competitive bidding environment.



217 Second Street, Suite 200 • Juneau, Alaska 99801  
Tel (907) 586-1325 • Fax (907) 463-5480 • [www.akml.org](http://www.akml.org)

February 18, 2003

Representative Holm, Co-Chair  
Representative Masek, Co-Chair  
Transportation Committee  
State Capitol, Room 101  
Juneau, AK 99801

Re: HB 67

Dear Representatives,

The AML Public Works and Infrastructure Subcommittee reviewed HB 67 and recommends against its adoption.

This summer a number of public and private organizations worked on a compromise that took into consideration all of the aspects of this complex issue. The result is Administrative Order 199. I believe that all of the public and private groups involved in the discussions support working with new procedures.

Sincerely

Kevin Ritchie  
Executive Director

**NATIVE VILLAGE OF TUNUNAK  
TUNUNAK IRA COUNCIL  
PO BOX 77; TUNUNAK, ALASKA 99681  
PHONE: (907) 652-6527 FAX: (907) 652-6011**

---

**TO: ALASKA STATE LEGISLATORS**

Date: March 12, 2003

**FROM: James G. James, Tribal Administrator**



**Re: Senate Bill 40 and House Bill 67**

**MESSAGE:**

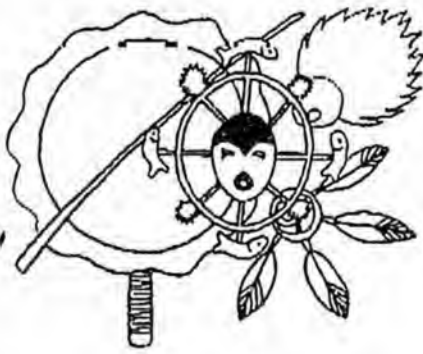
Once again the construction of capital projects by force account within the State of Alaska has been put into place in question.

The Bill which has been sponsored by Senator John Cowdery and Representative Jim Holm would limit the construction of state funded capital projects by force account to those projects under \$250,000.00.

It will have a big impact especially to rural areas in which the majority of village members are in dire need of jobs and economic opportunities because of high costs of living.

I have seen many of our people that are in need to feed their baby and to clothe them with proper clothing during harsh winter months. A can of evaporated milk costs \$1.55 per can and the baby formula can cost nearly \$20.00 or more depending on the price market up. The clothing prices are devastating compared to Anchorage prices. Although, people that are on welfare or on any assistance through State and Federal Assistance programs are just a quarter worth.

We urge you not to pass those two bills because it won't help the real Alaskans who need it the most.  
Thank You.



## Nunakauyak Traditional Council

### TO ALL ALASKA STATE LEGISLATURES

Senator John Cowdery under Senate Bill 40 and Representative Jim Holm under House Bill 67 have introduced the bills which will affect the capital projects by "Force Account" in which we know will have devastating impact in our region and local economy. With limitation on State-funded projects to no more than \$250,000 will not support local economy whatsoever. This limitation and phasing out construction jobs under force account will not help high unemployment rate in rural communities. Big construction companies and non-residents will only benefit from construction jobs instead..

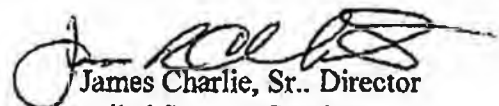
Villages do not even have economic base in which to support their own projects whether they are funded by the State or Federal government. The tribes or Tribal organizations have exercised their right to govern themselves by handling projects under force account thereby guaranteeing jobs to local residents who are jobless and have families to support. Big construction firms from outside of or even those based in Alaska do not always have that guarantee and instead bring in crews with them. This type of construction project do not support local economy.

The Alaska State Legislatures would be more lenient to its constituent's needs and well-being by helping them to protect their interest and allow them to continue to handle their own projects under force account. As a long time Tribal Council employee, I see many benefits that local force account projects provides to those who took part in construction projects which also help provide local economy little by little.

On the behalf of Nunakauyak Traditional Council (NTC) and many tribal governments and tribal organizations within AVCP/Calista region, I would like to humbly ask Senator Cowdery and Representative Holm to listen and reconsider or withdraw their bills immediately.

Last but not least, I would like to ask all Alaska State Legislatures to vote these bills down if the bills are not withdrawn by its original authors.

ON THE BEHALF OF NUNAKAUYAK TRADITIONAL COUNCIL

  
James Charlie, Sr.. Director  
Tribal Support Services

cc: Mr. David B. Tim, NTC Chairman  
Editor, The Delta Discovery  
Editor, The Tundra Drums

## St. Mary's Airport Road Rehabilitation Final Completion Summary Report

During the summers of 2001 and 2002, work was conducted to rehabilitate the St. Mary's Airport Road. The job consisted of rehabilitating approximately 8.1 kilometers of access road from the St. Mary's Airport to the post office in the City of St. Mary's. The existing road was reconstructed to provide a two-lane road 7.2 meters from shoulder to shoulder. A surface course was placed on the road to finish the project. Alaska Department of Transportation and Public Facilities' (ADOT) employees were used in completing the project by Forco Account. Total cost of the project was \$2,470,000.

Work during the summer of 2001 included clearing, excavating and removing inappropriate material, placing pipe, and the placing of base and sub-base courses. Work extended from May 1 through the end of September and was conducted by local residents of St. Mary's, who were hired as temporary state employees.

To complete the work in 2001, 17 local residents were hired. Over the summer they worked a total of 9,618 hours, of which 2,847 hours were overtime. Total payroll for these employees was \$259,067. Training was provided for 13 of these employees through the Alaska Vocational Technical Center for obtaining Commercial Drivers Licenses. All of these obtained their CDL's through this process. Jobs by these employees included operating CAT loaders, CAT Dozers, Dump Trucks and Rock Trucks. DOT foreman duties, administration and materials testing costs during this time period accounted for \$232,200.

Through a Memorandum of Understanding between the City of St. Mary's and the ADOT, St. Mary's provided equipment, mechanic/oiler services and fuel for the project. Through this memorandum, the City of St. Mary's was paid \$449,600 for equipment, \$103,630 for fuel and \$40,820 for mechanic/oiler services. Equipment used through the Memorandum of Understanding was new to the community and was retained by them after the project was finished. In addition, the City of St. Mary's received \$415,000 for aggregate that was taken from the city aggregate source.

Work during the summer of 2002 consisted of clearing, embankment construction and stabilization, grade raises, placing surface course and calcium chloride, installing delineators and reconditioning the borrow pits. The Maintenance and Operations Department of ADOT managed this phase of the project, due to their expertise in doing high float surfacing. However, it turned out that acceptable aggregate for conducting high float operations could not be produced on site and was too expensive to barge in to the project. Instead, surface material available was placed and conditioned in place, with calcium chloride applied as a binder/dust suppressant.

From May 31, 2002 through January 15, 2003, seven local residents were hired under M & O's management. Over the summer they worked a total of 1,027.50 hours of regular time, 545 hours of overtime and 200 hours of double time for a total of 1,772.5 hours. With M & O overhead and foreman personnel included, the total payroll for these

employees was \$100,331.45. Construction personnel charged an additional \$11,861.91 to the project over the same time period.

During the summer of 2002, the City of St. Mary's provided the following fuel, equipment, mechanic and oiler services and aggregate. Fuel charges from the City of St. Mary's totaled \$13,817.22. Equipment charges from the City of St. Mary's totaled \$84,427.85. Oiler and mechanic services that were provided totaled \$7,000.00. Aggregate purchases totaled \$309,307.25 including a \$500 gravel road access fee.



**HOUSE TRANSPORTATION COMMITTEE**  
STATE CAPITOL, ROOM 17  
465-4858

**COMMITTEE  
MEMBERS**

Rep. Jim Holm  
Co-Chair  
Room 110  
465-3466

Rep. Beverly Masek  
Co-Chair  
Room 403  
465-2679

Rep. Hugh Fate  
Room 128  
465-4967

Rep. Cheryll Heinze  
Room 416  
465-4930

Rep. Mary Kapsner  
Room 424  
465-4942

Rep. Vic Kohring  
Room 24  
465-2186

Rep. Albert Kookesh  
Room 114  
465-3473

DATE: February 19, 2003  
TO: House Transportation Committee Members  
FROM: Barbara Cotting, Committee Aide  
RE: HB 67, "Force Accounts"

Please add the attached items to the packet for HB 67, "Force Accounts"

- Revised fiscal note
- Summary of St. Mary's force account project
- Statement of opposition from AML
- Statement of support from Associated Builders & Contractors

The bill will be heard at 1:30 p.m. Thursday, February 20.

THANKS!

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

## SUMMARY OF LEGISLATIVE RESEARCH REPORT ON TRANSPORTATION MAINTENANCE VS. CONSTRUCTION

- Alaska statutes define CONSTRUCTION as a major repair, a reconstruction, alteration or improvement. (AS 19.45.001)
- Alaska statutes define MAINTENANCE as preservation to best maintain a structure or road to its original condition. (AS 19.45.001).
- These definitions allow for plenty of gray area.
- Alaska DOT-PF has no set policy for addressing a decision made within this gray area.
- Alaska DOT-PF finds advantages in keeping the definitions flexible.
- There is gray area also in finding a definition for RECONSTRUCTION as well as RESTORATION.
- WASHINGTON STATE statute defines projects over \$50,000 as CONSTRUCTION. Projects costing less are MAINTENANCE.
- State funds to construct, alter, repair or improve can be used as maintenance when the estimated project cost is under \$50,000.
- Projects costing over \$50,000 are considered CONSTRUCTION.
- In California, CONSTRUCTION is defined as follows: Acquisition of Rights of Way and material sites, Construction, Reconstruction, Replacement, Any Improvement except maintenance as defined, other items such as weed control, safety devices, adding lights and signs.
- California's definition of MAINTENANCE is as follows: Preservation and keeping of a right of way, etc., operation of special and emergency equipment. The widest definition is left up to the discretion of authorities charged with maintenance.
- ILLINOIS defines CONSTRUCTION this way: The performance of all things necessary to build, rebuild or improve a highway (or part thereof) on an existing or new location ...
- ILLINOIS defines MAINTENANCE this way: The performance of all things necessary to keep a highway in serviceable condition for vehicular traffic.

Teleconf -  
Justifiers

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email  
#  
to  
Evan

off-net  
Stewart Jacques  
888-263-1555  
Anch

~~Call Andy Mackison~~

**Subject: Force Account bill**

**Date:** Wed, 19 Feb 2003 09:28:07 -0900

**From:** Barbara Cotting <Barbara\_Cotting@Legis.state.ak.us>

**Organization:** Alaska State Legislature

**To:** eden@abcalaska.org

Hi Eden,

I just talked to Judy Martinson and she'll be on line in Nome for tomorrow's 1:30 meeting.

Stewart Jacques can testing off-net by calling 888-263-1555.

Barbara

Eden Larson wrote:

Good Morning Barbara:

One of my board members would like to testify tomorrow but scheduling attendance at the LIO will be difficult. Is there an off-site number he can call to participate?

Eden Larson

Executive Director

ABC of Alaska

907-565-5600

[www.abcalaska.org](http://www.abcalaska.org)

-----Original Message-----

**From:** Barbara Cotting [[mailto:Barbara\\_Cotting@Legis.state.ak.us](mailto:Barbara_Cotting@Legis.state.ak.us)]

**Sent:** Thursday, February 13, 2003 9:34 AM

**To:** eden@abcalaska.org

**Subject:** Re: Force Account position

THANKS Eden!

Barbara

Eden Larson wrote:

Good Morning Barbara:

Attached please find a position paper on HB 67 for your use. I have one person testifying in Fairbanks, one from Nome and I am still trying to adjust my schedule so that I can be present in Anchorage.

Force Account bill

Eden Larson

Executive Director

ABC of Alaska

907-565-5600

[www.abcalaska.org](http://www.abcalaska.org)

RE: Force Account position

**Subject: RE: Force Account position**

**Date:** Thu, 13 Feb 2003 14:17:24 -0900

**From:** "Eden Larson" <eden@abcalaska.org>

**To:** "Barbara Cotting" <Barbara\_Cotting@Legis.state.ak.us>

You are very welcome. I'll work to make sure we have representation there next week.

Eden Larson

Executive Director

ABC of Alaska

907-565-5600

www.abcalaska.org

-----Original Message-----

**From:** Barbara Cotting [mailto:Barbara\_Cotting@Legis.state.ak.us]

**Sent:** Thursday, February 13, 2003 2:19 PM

**To:** eden@abcalaska.org

**Subject:** Re: Force Account position

DARN it - the meeting was canceled, as you know by now, because we didn't have a quorum present. I'm going to reschedule it for next Tuesday, with Thursday's date as back-up. I hope all the folks you contacted will be able to testify next week. We're so sorry for the inconvenience this caused but it was totally unforeseen.

Thanks again for the great letter of support.

Barbara

Eden Larson wrote:

Good Morning Barbara:

Attached please find a position paper on HB 67 for your use. I have one person testifying in Fairbanks, one from Nome and I am still trying to adjust my schedule so that I can be present in Anchorage.

Eden Larson

Executive Director

ABC of Alaska

907-565-5600

STATE OF ALASKA  
HOUSE OF REPRESENTATIVES

Representative Jim Holm



119 N. Cushman  
Fairbanks, AK 99701  
TEL 456-7423, FAX 451-9293

State Capitol  
Juneau, AK 99801  
TEL 465-3466, FAX 465-2937

**DATE:** February 12, 2003

**TO:** Judy Martinson  
North Coast Construction  
Nome, Alaska

**FAX:** 443-5851

**FROM:** Barbara Cotting, Aide  
House Transportation Committee

A handwritten signature in cursive script, likely belonging to Barbara Cotting, positioned to the right of the "FROM:" field.

Following is information on House Bill 67. We look forward to your testimony in support of this bill on Thursday afternoon.

As I said, the hearing is from 1:30 – 3:00 p.m., and public testimony will begin probably a little after 2:00.

Thank you very much for contacting us.

Edna - Judy Mattinson

443 - 2596

Nome

Nor. Coast  
Const.

4:30 Thurs -

~~2:00~~ 2:00

2:15

FAX:

443 - 5851

Sponsor and/or Committee Name			Date
HTRA- Rep. Holm, Chair			Feb 20 - Thurs
Start/End Time	Chairing site	Juneau Room	Testimony
1:30 - 3:00	Juneau	Cap17	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Invitational <input type="checkbox"/>
Contact Person and	Phone Number	Other sites may add?	Testimony Limit
Barb Cotting	465-4858	Yes	NO
Subject of meeting and/or Bills on agenda			

Bills previously heard / scheduled  
and  
HB ~~1111~~ 67

Sites - LIOs	Sites - Offnets	Phone #
Anchorage		
Barrow		
Bethel		
Cordova		
Delta Junction		
Dillingham		
Fairbanks		
Glennallen		
Homer		
Juneau		
Kenai		
Ketchikan		
Kodiak		
Kotzebue		
Matsu		
Nome		
Petersburg		
Seward		
Sitka		
Tok		
Valdez		
Wrangell		

Notes


**Teleconference Order Form** Fax #465-2855

Please Change to  
Tues Feb 4872 25

Sponsor and/or Committee Name			Date
HTRA - Rep. Holm, Chair			Feb 18 - 7/11/05
Start/End Time	Chairing site	Juneau Room	Testimony
1:30 - 3:00	Juneau	Cap17	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Invitational <input type="checkbox"/>
Contact Person and	Phone Number	Other sites may add?	Testimony Limit
Barb Cotting	465-4858	Yes	No
Subject of meeting and/or Bills on agenda			

HB 96  
HB 93

Sites - LIOs	Sites - Offnets	Phone #
Anchorage	✓	
Barrow		
Bethel		
Cordova		
Delta Junction		
Dillingham		
Fairbanks	✓	
Glennallen		
Homer		
Juneau		
Kenai		
Ketchikan		
Kodiak	✓	
Kotzebue		
Matsu		
Nome	MM	
Petersburg		
Seward		
Sitka		
Tok		
Valdez		
Wrangell		

**Notes**

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456-6968

STATE OF ALASKA  
HOUSE OF REPRESENTATIVES  
Representative Jim Holm



119 N. Cushman  
Fairbanks, AK 99701  
TEL 456-7423, FAX 451-9293

State Capitol  
Juneau, AK 99801  
TEL 465-3466, FAX 465-2937

**DATE:** February 19, 2003

**TO:** Kara Moriarty

**FROM:** Barbara Cotting

**Following is information you requested on the "force account" bill. Call me if you have any questions. My direct line is 465-4858.**

**HB 67 will be heard in House Transportation tomorrow (Feb 20) at 1:30 p.m. and the Fairbanks LIO will be on line.**

**Thanks.**

*Barbara*

Jerry - DOT

451-2210

888-263-1555

Ralph Swarthout  
+ 2 others

Will dial in.

Subject:  
RE: (no subject)  
Date:  
Thu, 6 Feb 2003 17:37:58 -0900  
From:  
Dick Cattnach <dick@AGCAK.org>  
To:  
'Barbara Cotting' <Barbara\_Cotting@Legis.state.ak.us>

ABC is an organization similar to AGC that deals only with non-union contractors. They are different from us in that we deal with both while they deal with only one side. Half of our members are non-union but they sometimes try to portray us as a union organization. They are considerably smaller (about 20%) than us and many of their members are also members of ours.

LM Mon 12:45  
3:30  
Eden Larsen  
565-5600  
associated builders &  
contractors

2/11 - She will send a letter  
of support & have someone  
testify.

Teleconference Order Form, **Fax #465-2864**

✓ 2/16/13

4872

Sponsor and/or Committee Name			Date
HTRA- Rep. Holm, Chair			2/13/13
Start/End Time	Chairing site	Juneau Room	Testimony
1:30 - 3:00	Juneau	Cap17	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Invitational <input type="checkbox"/>
Contact Person and	Phone Number	Other sites may add?	Testimony Limit
Barb Cotting	465-4858	Yes	5 min
Subject of meeting and/or Bills on agenda			

Sites - LIOs		Sites - Offnets	Phone #
Anchorage	✓		
Barrow			
Bethel			
Cordova			
Delta Junction			
Dillingham			
Fairbanks	✓		
Glennallen			
Homer			
Juneau			
Kenai			
Ketchikan			
Kodiak			
Kotzebue			
Matsu			
Nome			
Petersburg			
Seward			
Sitka			
Tok			
Valdez			
Wrangell			

Notes

**HB**

**81**

# REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

## MEMORANDUM

DATE: April 4, 2003  
TO: House Transportation Committee Member *K*  
FROM: Representative Kevin Meyer *K*  
RE: HB 81 Motor Vehicle Emissions Inspection

---

A few committee members had some questions regarding the number of emission program violations in the Municipality of Anchorage, and how much the Municipality of Anchorage collected in fines. I was able to gather the appropriate data and would like to share with you my findings.

In 2002, the Vehicle Inspection and Maintenance Program received approximately 6,800 complaints. After investigation, the program issued 4,709 notices of violation. Approximately 476, or 10%, of the notices of violation, were issued a citation. Through the investigation and notice process, 3,005 vehicles were brought into compliance. The I/M office received \$74,841 in fines and \$6,228 in other court fees. The \$74,841 in fines averages \$157 for each citation.

I hope that this information is helpful. If you have any further questions regarding this information or HB 81, please feel free to contact me.

**Subject:** Fiscal note for HB81

**Date:** Mon, 31 Mar 2003 12:01:06 -0900

**From:** Ellen Huddleston <Ellen\_Huddleston@gov.state.ak.us>


**Organization:** Alaska Office of the Governor

**To:** Barbara C Cotting <barbara\_cotting@legis.state.ak.us>

is attached. Unfortunately, the commissioner's name is missing at the bottom. I have sent it back to Kevin Jardell to have that fixed, but here is the note in the meantime.

Ellen

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 HB81 DOA 3 31.pdf	<b>Name:</b> HB81_DOA_3_31.pdf <b>Type:</b> Acrobat (application/pdf) <b>Encoding:</b> base64
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# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 81  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title An act relating to motor vehicle BRU Motor Vehicles  
emissions; and providing..... Component \_\_\_\_\_  
 Sponsor Representative Meyer  
 Requester (H) TRA Component No. 2348

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill will have no fiscal impact on DMV for implementation. The bill removes the requirement for redundant emission inspections relating to ownership changes. DMV will still require emission inspections prior to registration as it has in the past.

Prepared by: Charles R. Hosack  
 Division: Motor Vehicles  
 Approved by: \_\_\_\_\_  
 Agency: \_\_\_\_\_

Phone 269-5559  
 Date/Time 3/24/03  
 Date 3/31/2003