

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

11271 SENATE (LABOR & COMMERCE

05/14/03 9 D 09:43 FAX 6896489

Wednesday, May 14, 2003

Open Letter to the Alaska Legislature:

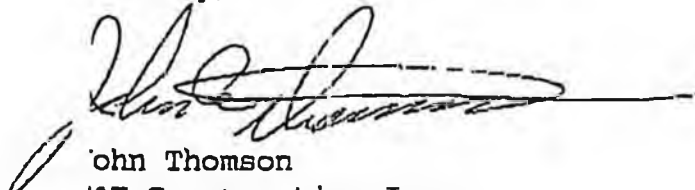
I am writing to ask for your support of Senate Committee Substitute for HB 257 relating to the Real Estate industry. The residential real estate industry is threatened with loss of insurance because the current law may allow a class action lawsuit for technical violations of dual agency disclosure statute, even when neither the buyer nor the seller suffered any actual damage.

This bill, as amended, would not remove the requirement of disclosure of dual agency, nor eliminate the ability for persons to sue for actual damages.

I am an Alaskan builder and have been building homes for 20 years in the Eagle River/Chugiak area. I work closely with Realtors on a daily basis and it is my experience that real estate agents make every effort to follow the intent of current state statute. However, it is obvious that the law is in need of clarification of the dual agency disclosure process. The Senate Committee Substitute for HB257 addresses this flaw in a manner that protects both buyers and sellers.

Thank you for your support.

Sincerely,



John Thomson  
J&T Construction Inc.  
7343 Santa Maria Drive  
Eagle River, AK. 99577

Sent By: Residential Mortgage;

9072228895;

May-14-03 8:53PM;

Page 2/2



# Residential

## MORTGAGE LLC

1400 W Benson Boulevard, Suite 200  
Anchorage, Alaska 99503  
(907) 2-8800 phone  
(907) 2-8801 fax  
www.residentialmtg.com

May 14, 2003

Re: Open Letter to the Alaska State Legislature:

Ladies and Gentlemen:

I am a Mortgage Lender for Residential Mortgage, and have been in the industry for 19 years, primarily serving the Anchorage area. I strongly urge your support for the passage of the Senate Committee Substitute for HB 257. In the course of my career, I have worked with hundreds of Realtors, and have found that they are, almost without exception, dedicated to the interests of their clients. I believe that they try to follow the statutes and regulations regarding agency to the best of their ability.

This bill, as now amended, will clarify the intent of the current statutes and will close the door on opportunistic attorneys seeking to collect potentially massive fees when there have been no actual damages incurred by buyers and sellers of real estate. In the rare cases where there are instances of fraud or misrepresentation resulting in damages, the public will still have every right they have now to seek compensation, as they should. Many other mechanisms, such as fines, suspension, or loss of license, as imposed by the Real Estate Commission, also would remain in full effect.

Thank you very much for your support of this legislation.

Sincerely,

Richard Mantyla  
Mortgage Loan Originator



# Frontier Appraisal Service, Inc.

May 3, 2003

Attention: Alaska Legislature

I am writing to ask for your support of Senate Committee Substitute for HB27 relating to the Real Estate industry. The residential real-estate industry is threatened with loss of insurance because the current law may allow a class action lawsuit for technical violations of dual agency disclosure statute, even when neither the buyer nor the seller suffered any actual damage.

This bill, as amended, would not remove the requirement of disclosure of dual agency, nor eliminate the ability for persons to sue for actual damages.

I am a real estate appraiser and have worked in the real estate industry for 18 years. I work closely with Realtors on a daily basis and it is my experience that real estate agents make every effort to follow the intent of the state statute. However, it is obvious that the law is in need of clarification of the dual agency disclosure process. The Senate Committee Substitute for HB257 addresses this flaw in a manner that protects both buyers and sellers.

Thank you for your support.

Sincerely,

Randy S. Staman  
President  
Frontier Appraisal Service, Inc.

1501 W. Northern Lights, Suite 202 • Anchorage, Alaska 99503 • Office (907) 276-6663 • FAX (907) 878-6992  
16635 Interfield Drive Suite 200 • Eagle River, Alaska 99571 • Office (907) 694-6685 • FAX (907) 694-8827

MAY. 14. 103 4:27PM

NORTHSTAR MORTGAGE

NO. 028 P. 2/2

001

  
**NORTHSTAR MORTGAGE CO.**

5/14/03

The Alaska State Legislature  
The Capitol Building  
Juneau, AK 99801-1182

**Open Letter to the Alaska Legislature:**

**Re: Support for Senate Committee Substitute for HB 257**

**Our company is a major residential lender in the Anchorage housing market. We work daily with licensed real estate agents and brokers. We find their professionalism and ethics to be of great importance to their personal reputation and their customers.**

**I am writing to urge your support of the Senate Committee Substitute for HB 257. This bill provides no changes for all the current safeguards and remedies for the public when damaged by deceit, fraud, and misrepresentation. But, it does protect Alaska's 2<sup>nd</sup> largest sector of commerce by denying frivolous lawsuits over "clerical" errors where no damages occurred.**

**Your constituents will be better served by approving this bill, an industry will be able to obtain affordable errors and omissions insurance, and attorneys will be able to concentrate their efforts on buyers and sellers who have truly sustained damages for legitimate reasons.**

Sincerely,



Northstar Mortgage  
Aaron Scott, President

5/14/03

The Alaskan State Legislature  
Alaska State Capitol  
Juneau, AK 99801-1182

An Open Letter to the Legislature:

I have been associate with and part of the real estate industry for over 30 years here in Anchorage as a developer and builder.

Over the years I have been a party to hundreds, if not thousands, of real estate transactions. I have watched the legalities of the industry evolve providing greater and greater protection to the consumers. This I applaud. However, now the industry faces a class action lawsuit over "clerical" issues that threatens to destroy the very commerce that it brings to our state even though NO DAMAGES OCCURRED to the public.

Senate Committee Substitute for HB 257 corrects the intent of agency laws in our state. I strongly urge you to support this bill with your assistance in moving this important piece of legislation successfully through the legislative process.

Consumers will still have all rights of compensation for any damages to them from any acts of fraud, deceit, or misrepresentation by any licensed real estate person in Alaska.

Thank you for your assistance.

Sincerely,



Alas-Con, Inc.  
Jack Olive - Principal



**ALASKA ASSOCIATION OF REALTORS, INC.**  
741 Sesame Street, Suite 100 • Anchorage, Alaska 99503  
Telephone 907-563-7133 • Fax 907-563-8476

May 14, 2003

To Whom It May Concern:

The Alaska Association of REALTORS endorses Senate Labor and Commerce Committee substitute compromise for HB 257.

Thank you for your consideration.

Carole Winton  
President



5/13/03


Dear Senator,

**Please support HB 257!** *+ Senate committee substitute*

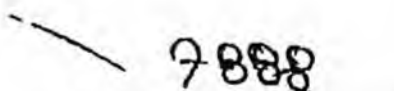
As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

**Please support HB 257** so that the interpretation of the statute is not left open for lawyers to collect fees when there were no damages. Let the spirit of the law match the letter of the law so that we can serve the general public in a way that is practical and helps them reach their goals.

Sincerely,

  
Bob Brock

Name

  
7888

License #

5/13/03

Dear Senator,

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Sincerely,

*Joe Wengert*  
Name

*17676*

License #

Date: Tue, 13 May 2003 11:56:22 -0800

To:

From: Su Rowland <surowland@gcl.net>

Subject: HB 257

Cc:

Bcc:

X-Attachments:

Dear

*+ Senate committee substitute*

I want to be sure that you are aware that I fully support House Bill 257.

I cannot imagine that the Legislature, when formulating the present agency disclosure law, really intended to require that I obtain written permission from my client each time one of my listings is shown by another agent at my company. No such disclosure form is required for an agent from another office, representing the buyer. I believe this was a technical oversight in the language of the original law.

HB 257 is a well conceived and much needed clarification of Agency Law, and I appreciate your efforts to see that it receives legislative approval.

Regards,



Su Rowland  
Dynamic Properties  
3111 C Street #100  
Anchorage, AK 99503  
Mobile# 907-727-7878  
mailto:surowland@gcl.net  
Alaska Real Estate License 11730

*6833 Queensview Cir  
Anchorage, AK 99504*

5/13/03

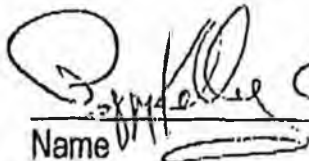
Dear Senator,

**Please support HB 2571** *+ Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

 CRS  
Name \_\_\_\_\_

12447

License #

5/13/03

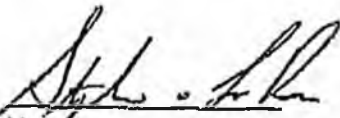
Dear Senator,

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Sincerely,

  
Name

14639  
License #

Date: Tue, 13 May 2003 11:36:27 -0800

To:

From: Pete Farris <pfarris@alaska.com>

Subject: HB 257

Cc:

Bcc:

X-Attachments:

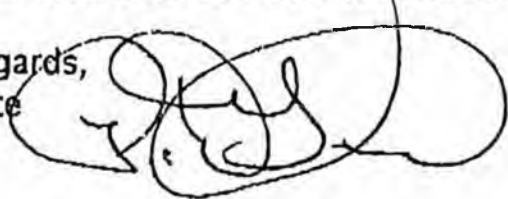
Dear

I want to be sure that you are aware that I fully support House Bill 257. *Senate committee substitute*

I cannot imagine that the Legislature, when formulating the present agency disclosure law, really intended to require that I obtain written permission from my client each time one of my listings is shown by another agent at my company. No such disclosure form is required for an agent from another office, representing the buyer. I believe this was a technical oversight in the language of the original law.

HB 257 is a well conceived and much needed clarification of Agency Law, and I appreciate your efforts to see that it receives legislative approval.

Regards,  
pete



--  
Pete Farris, Associate Broker  
Dynamic Properties  
3111 C Street #100  
Anchorage, AK 99503  
Mobile# 907-229-1637  
mailto:pfarris@alaska.com  
Alaska Real Estate License 9321

5/13/03

Dear Senator,

**Please support HB 2571 + senate committee substitute**

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

Eugene W. Bates  
Name

2241  
License #

5/13/03

Dear Senator,

*+ Senate committee substitute***Please support HB 257I**

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

*Chris Nork*  
Name

*15088*  
License #

5/13/03

Dear Senator,

**Please support HB 2571** *Sende committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

  
Name*14313*  
License #

5/13/03

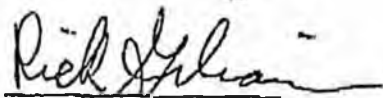
Dear Senator,

**Please support HB 2571** *Senate committee substitute*

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Sincerely,



Name

12279

License #

5/13/03

Dear Senator,

**Please support HB 257!** *Senate committee substitute*

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Sincerely,

Name

15295

License #

5/13/03

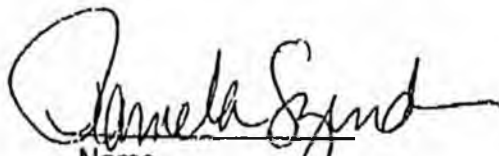
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**Please support HB 2571** *Senate committee substitute*

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Sincerely,

  
Name

13239  
License #

5/13/03

Dear Senator,

**Please support HB 2571** *Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

*Cornie Becking*  
Name

14992  
License #

5/13/03

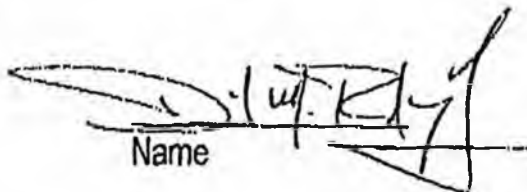
Dear Senator,

**Please support HB 2571** *+ Senate committee substitute*

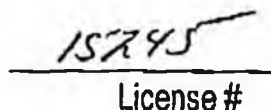
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Sincerely,



Name



License #

5/13/03

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Sincerely,

*David Harper*  
Name David A. Harper

15034  
License #

5/13/03

Dear Senator,

**Please support HB 2571** *+ Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

**Please support HB 257** so that the interpretation of the statute is not left open for lawyers to collect fees when there were no damages. Let the spirit of the law match the letter of the law so that we can serve the general public in a way that is practical and helps them reach their goals.

Sincerely,

*Jana Borderieux*

---

Name*12076*

---

License #

5/13/03

Dear Senator,

**Please support HB 257!** *of Senate committee substitute*

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Sincerely,

*Brian Reid*  
Name

12739  
License #

5/13/03

Dear Senator,

**Please support HB 257** *Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

*Mary Little*  
Name

*6814*  
License #

5/13/03

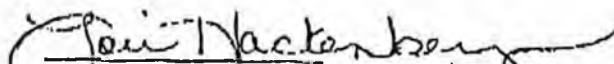
Dear Senator,

**Please support HB 257! + Senate committee substitute**

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Sincerely,

  
Name Lori Mackenberger

117627  
License #

5/13/03

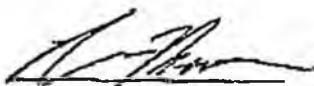
Dear Senator,

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Sincerely,



Name

# 15469

License #

5/13/03

Dear Senator,

**Please support HB 257!** *Send committee substitute*

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Sincerely,

*Victoria Roberts*  
Name

*25945*  
License #

5/13/03

Dear Senator,

**Please support HB 2571** *+ Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

*Christine Anderson*  
Name  
*Christine Anderson*

*14924*  
License #

5/13/03

Dear Senator,

**Please support HB 257!** *Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

*Beth Simpson*  
Name *Beth Simpson*

3336

License #

5/13/03

Dear Senator,

**Please support HB 257!** *Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

Jackie Danner  
Name

3688

License #

5/13/03

Dear Senator,

**Please support HB 257!** *Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

Jennifer Toomer  
Name

15164  
License #

5/13/03

Dear Senator,

**Please support HB 257!** *+ Senate committee substitute*

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Sincerely,

*Margaret Goch*  
Name

*11108*  
License #

5/13/03

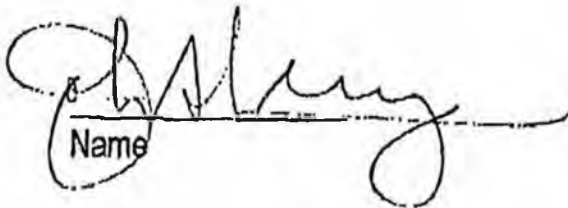
Dear Senator,

**Please support HB 2571** *Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

  
Name

12821

License #

5/13/03


Dear Senator,

**Please support HB 257!** *Senate committee substitute*

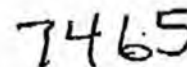
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Sincerely,



Name



License #

5/13/03

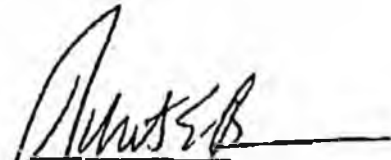
Dear Senator,

**Please support HB 2571** *+ Senate committee substitute*

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Sincerely,

  
Name

2667  
License #

5/13/03

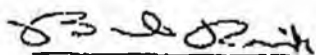
Dear Senator,

**Please support HB 257!** *Senate committee substitute*

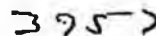
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Sincerely,



Name



License #

5/13/03

Dear Senator,

**Please support HB 2571** *f. Senate committee substitute*

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Sincerely,

*E. Roy Butley*  
Name

*15309*  
License #

5/13/03

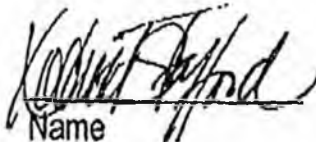
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**Please support HB 2571** *+ Senate committee substitute*

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Sincerely,

  
Name

  
License #

5/13/03

Dear Senator,

**Please support HB 257!** *+ Senate committee substitute*

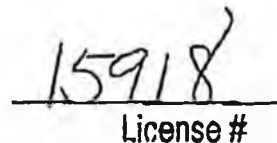
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Sincerely



Name



License #

5/13/03

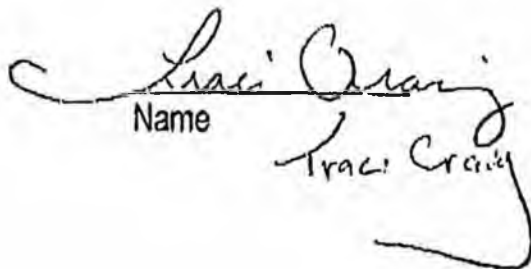
Dear Senator,

**Please support HB 257!** *+ Senate committee substitute*

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**Please support HB 257** so that the interpretation of the statute is not left open for lawyers to collect fees when there were no damages. Let the spirit of the law match the letter of the law so that we can serve the general public in a way that is practical and helps them reach their goals.

Sincerely,

  
Name  
*Traci Crain*

14978

License #

5/13/03

Dear Senator,

**Please support HB 2571** *of Senate committee substitute*

As a real estate professional sellers hire me to help them sell their home. Some lawyers and even some people who consider themselves real estate experts have interpreted the law to mean that we must obtain written permission each time a buyer client would like to see a home listed with our company. If you were selling your home, would you want to give written permission for me to show your home to each buyer? What if you were fishing or on vacation? Many sellers are out of state and written permission is not practical. Sellers hire us to sell their homes and we have a duty to show their homes to buyers that come to us as a result of our advertising and contacts. I do not interpret the law to mean written permission is necessary for each showing. I interpret the law to say that the possibility of dual agency must be disclosed to buyers and sellers up front and a discussion of all types of agency is necessary. Both buyers and sellers per state law should also acknowledge this discussion in writing. Dual agency does not actually exist until each party acknowledges it in writing. Buyer clients, however, want to see our listings, and seller clients want to sell their homes. It is impossible for me to believe that the intent of the law was to obtain written permission for each in house showing. That would be a serious inconvenience and disservice to both buyers and sellers.

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Sincerely,

  
Name

13012  
License #

5/13/03

Dear Senator,

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Sincerely,

*Peggy Young*  
Name

*14358*

License #

5/13/03

Dear Senator,

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Sincerely,

*Stephen Malovich*  
Name  
*ASSOCIATE BROKER*

13067

License #

5/13/03

Dear Senator,

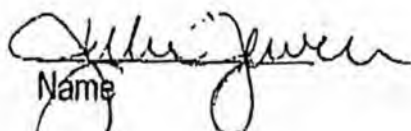
**Please support HB 2571**

*+ Senate committee substitute*

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Sincerely,

  
Name

148441  
License #

5/13/03

Dear Senator,

**Please support HB 2571** + *senate committee substitute*

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Sincerely,

*Susan M. Lebrun*  
Name

*14301*  
License #

5/13/03

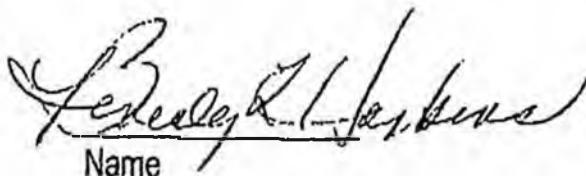
Dear Senator,

**Please support HB 257!** + senate committee substitute

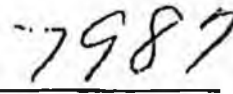
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Sincerely,



Name



License #

5/13/03

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Sincerely,

*Beckie Brown*

Name

14786

License #

5/13/03

Dear Senator,

**Please support HB 257!** + *senate committee substitute*

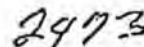
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Sincerely,



Name



License #

5/13/03

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Sincerely,

*Jennifer Redman*  
Name

15210  
License #

5/13/03

Dear Senator,

**Please support HB 2571** + *Senate committee substitute*

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Sincerely,

  
Name

15572  
License #

**HB**

**269**

# ALASKA STATE LEGISLATURE

*Vice Chair:*  
Joint Armed Services Committee

*Member:*  
Military and Veterans Affairs Committee  
Labor and Commerce Committee  
State Affairs Committee  
Economic Development, Trade, &  
Tourism Committee



*Session:*  
Alaska State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Fax: (907) 465-2293  
Toll Free (877) 460-3783

*Interim:*  
716 West 4<sup>th</sup> Avenue  
Anchorage, AK 99501-2133  
Phone: (907) 269-0174  
Fax: (907) 269-0177

## REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON  
Representative\_Nancy\_Dahlstrom@legis.state.ak.us

### Sponsor Statement

#### HB 269

#### **“An Act establishing the Safety Code Task Force and providing for an effective date”**

There are five primary safety codes dealing with construction in Alaska, all of which are under the jurisdiction of two different Departments. The Fire, Building, and Mechanical Codes are under the jurisdiction of the Fire Marshall at the Department of Public Safety. The Plumbing and Electrical Codes are governed by the Department of Labor. Each department is responsible for adopting a family of codes that bring uniformity and consistency to the construction industry. However, the current delegation of authority to the respective departments has caused a set of conflicts and discrepancies.

The mission of the Safety Code Task Force is to suggest options for consolidation of our code administration function. The Task Force will be charged with presenting recommendations to the legislature by the first day of the Second Regular Session of the Twenty-Third Alaska State Legislature.

The Safety Code Task force will consist of 9 members representing parties affected by the adoption of Safety Codes in the state. The make up of the task force is as follows:

- A Senator (Co-Chair) appointed by the Senate President,
- A Representative (Co-Chair) appointment by the Speaker of the House,
- A member of the administration appointment by the Governor

The following members are to be appointed jointly by the Senate President and the Speaker of the House:

- Representative of the construction design community
- Representative of the construction engineering community
- Representative for general contractors
- Representative for mechanical contractors
- Representative for electrical contractors
- Representative for plumbing contractors

Additionally, the Governor will appoint an advisory panel. The make up of the panel will include individuals from industry, organizations, and Government. The purpose of this group is to advise the Task Force on the effect of any changes in code to their respective community.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES



**MECHANICAL CONTRACTORS**  
of Alaska, Inc.



May 15, 2003

SENATE LABOR AND COMMERCE COMMITTEE

RE: CS FOR HB 269 (FIN)

Chairman Con Bunde and Senate Labor and Commerce Committee Members:

The Mechanical Contractors of Alaska is an association of nearly 50 construction contracting firms that perform construction projects of many types and size across the state of Alaska. We believe the current process in this state, code adoption by regulation, is flawed and needs reformation.

Our Association supports the adoption of CS for HB 269 (FIN).

We urge you to pass this bill thru your committee with no amendments. This taskforce, with the makeup as called for in this bill, will find solutions for existing safety code issues that will have the broad support of the construction community. These people, who use these codes daily are familiar with what does and does not work in Alaska. Their recommendations about which codes to adopt and how to adopt them will allow the affected stakeholders to have an equal and effective voice. Building and Fire Code enforcement officials should remain in an advisory position since their job is to implement public policy, not create public policy.

Thank You

Eugene R. Rutland  
Executive Director

# Public Opinion Message

Status: <b>Final</b>					
Go Back	Enter Personal Information	Pick Legislator(s) and Message to	Enter Message	Verify Message and Final Submit	Reached

Bill Root: HB 269  
 Short Title: SAFETY CODE TASK FORCE

**MsgText**

I strongly urge the members of the Senate Labor & Commerce Committee to pass HB269 unamended. Implementation of this bill before the end of this session will provide a quick solution stream lining Alaskas Safety codes. HB269 will facilitate a quick method to address the complexity of the current system avoiding future conflicts.

Support type: Support

**Members to Send to :**

Rep. Anderson, Sen. Bunde, Rep. Crawford, Sen. Davis, Rep. Dahlstrom, Sen. French, Rep. Gatto, Rep. Guttenberg, Rep. Lynn, Rep. Rokeberg, Sen. Seekins, Sen. Stevens G

**If this is NOT correct...Please change below**

**Final Submit**

**Robert W Sandstrom**  
**Your POM is 06061**

Please click Final Submit to finish processing Or make changes below.

**Members to Send POM**

Rep. Anderson, Sen. Bunde, Rep. Crawford, Sen. Davis, Rep. Dahlstrom, Sen. French, Rep. Gatto, Rep. Guttenberg, Rep. Lynn, Rep. Rokeberg, Sen. Seekins, Sen. Stevens G

Billroots have the form chamber abbrev. then number for example:  
*HB 1 or SJR 233* Go here for more information on bills

**Select Subject OR Bill:**

Bill      BillRoot:

Subject

Introduced by: Mayor Thompson  
Date: May 5, 2003

RESOLUTION NO. 4069

A RESOLUTION OF OBJECTION TO THE CURRENT LANGUAGE OF SENATE BILL 180 AND HOUSE BILL 269 REGARDING THE COMPOSITION OF THE SAFETY CODE TASK FORCE.

WHEREAS, the purpose of Senate Bill 180 and House Bill 239 is to establish a task force for the purpose of evaluating model construction codes for adoption by the State of Alaska, and

WHEREAS, such recommendation will affect all home rule jurisdictions, and

WHEREAS, Senate Bill 180 and House Bill 269 excludes municipal participation of building and fire officials on the task force, and

WHEREAS, the exclusion of these municipal officials creates an unbalanced task force; and

WHEREAS, the City believes it is in the best interest of the State and its municipalities to include the expertise of municipal code officials so that all aspects of code enforcement can be equitably evaluated; and

WHEREAS, the City of Fairbanks recognizes that constructions codes must be established to benefit and protect all citizens and consumers and not special interest groups; and


WHEREAS, the City of Fairbanks urges reconsideration of the present Senate and House bills to include voting participation on the task force by municipal building and fire officials.

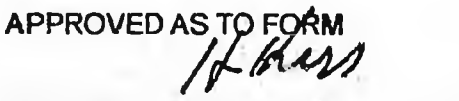
NOW, THEREFORE BE IT RESOLVED that the City of Fairbanks objects to the current language of Senate Bill 180 and House Bill 269 and requests wording be included which ensures voting representation of municipal building and fire officials on the safety task force.

Passed and Approved this 5 day of May, 2003.

  
STEVE M. THOMPSON, MAYOR

AYES: 6  
NAYS: 0  
ABSTAIN:  
ACSENT:  
ADDED: May 5, 2003

ATTEST:  
  
Carol L. Cooper, City Clerk

APPROVED AS TO FORM  
  
Herbert P. Kuss, City Attorney


**CITY OF FAIRBANKS**
*Steve M. Thompson, Mayor*

 800 CUSHMAN STREET  
 FAIRBANKS, ALASKA 99701-4615

OFFICE: 907-459-6793

FAX: 907-459-6787

smthompson@ci.fairbanks.ak.us

May 15, 2003

**VIA FACSIMILE: (907-465-3871)**

 Senator Con Bunde  
 Chairman Senate Labor and Commerce Committee  
 Senate Capital Room 506  
 Juneau, Alaska 99801-1182

Re: SB 180 / HB 269 Safety Task Force

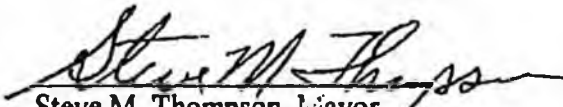
Dear Senator Bunde:

It is our understanding that the referenced bill has been referred to your committee. With this in mind we are respectfully requesting reconsideration of the bill. It has been our stated position that the composition of the voting task force is not balanced. We have had recent conversations with Senator Therriault's office and Senator Wilken's office and while no guarantee was requested or offered we were left with the impression that compromise language would be introduced. However my office was notified Monday May 12th that the compromise language has been entirely removed from the bill. Exclusion of professional municipal building and fire officials as a voting member of the task force is questionable. Since we have not asked for a predetermined outcome and have only asked for a balanced task force we remain frustrated that the City of Fairbanks' concerns have been ignored in the legislative process.

We look forward to hearing from you and the committee.

Sincerely,

CITY OF FAIRBANKS

  
 Steve M. Thompson, Mayor

 CC: City Council  
 Interior Delegation  
 Code Review Commission  
 Steve Shuttleworth

Post-It® Fax Note	7671	Date	05/15/03	# of pages	2
To	Senator Con Bunde		From	City of Fairbanks	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #	(907) 465-3871		Fax #		



**Martha Hanlon Architects, Inc.**  
 Architecture and Project Management

May 15, 2003

Senator Gene Theriault  
 Alaska State Senate  
 State Capitol Building  
 Juneau, Alaska 99801

Re: **SB 180, An Act establishing the Safety Code Task Force;...**

Dear Senator Theriault,

I am the Chair of the Northern Section of the Alaska Chapter of the American Institute of Architects and a local practitioner in Fairbanks. Having recently read the text of the proposed SB 180 regarding the establishment of a "Safety Code Task Force". I have to question whether you really care about the health, safety and welfare of the Alaska public.

Ostensibly, the task force is supposed to review the available published safety codes and recommend a family of codes to be adopted by the State. I am aghast that the nine-member commission does not have a named place for a public building official or a State Fire Marshal, yet has 4 members from the building and contracting industry. I have to assume by "construction design community" and "construction engineering community" you intend for these members to be selected from the registered (hence, licensed) architects and engineers in our state, but that too is unclear. It is disingenuous to argue that one of the three general members appointed by the administration could be a building official, for instance, as these people could just as likely be members of the construction industry, further tipping the Task Force composition more heavily toward builders.

I question your sincerity about public safety, as the role of the construction industry is not to ensure that buildings or structures meet building codes as their paramount task. Typically, contractors build what is drawn by licensed design professionals for whom the ethical standard, by 12 ACC 36.200, is "to safeguard the life, health, property and welfare of the public."

Our state statutes require that the design for structures over a four-plex to be stamped by licensed design professionals and then reviewed by the State Fire Marshal or a Municipal Building Official. *This design and review process is where the public safety is ensured* and these professionals, architects, engineers, fire professionals and building officials, should be a majority composition on any kind of Safety Task Force, as it is our job to know and enforce the code before a shovelful of dirt has been moved on a project.

I and other design professionals work with the building codes daily and this bill will effectively remove our input from what family of codes are adopted in our state and give that selection to professionals who do not have the safety of the public as their first task of licensure and are not responsible to ensure that projects are designed to meet code.

I urge you to reconsider this poorly conceived bill and the great harm and turmoil you will bring to our state in this matter. I would appreciate an update on the progress of this bill from your office.

Very truly yours,  
**MARTHA HANLON ARCHITECTS, INC.**

Martha L. Hanlon, AIA  
 President

Cc: Senator Gary Wilken  
 Representative Dahlstrom (HB 269)

**FAXED** By: MLH  
 Date: 5-15-03

5/14/03

Dear Chairman Bunde,

*As a practicing structural engineer (licensed Civil) and as a member of the Anchorage Building Board and member organizations of the Alaska Professional Design Council, I would like to put in my two cents regarding HB269 which is about to be heard in your committee.*

*There seems to be a disconnect between the proposed members of the task force and the people who implement and enforce building codes. Once a building design is started, the onus of ensuring that a project meets the code requirements falls on the shoulders of the architects and engineers. They meld the requirements of the owner and the requirements of the code to design and coordinate the various building systems and then to prepare documents that present that design in a way that shows the contractor and subcontractors what to build. These documents are submitted to the state fire marshal or to municipal building and fire officials for review for compliance with the codes. Once they approve the documents, construction starts. During construction, the contractor does not review for compliance with the codes, just constructs in accordance with the approved plans. Code compliance during construction is provided through the work of the designers (architects and engineers), special inspectors, and/or municipal or state inspectors.*

*Thus, having four contractors and two designers on the panel is skewed. I don't have a problem with contractor representation but the membership should have more architects, engineers, building officials and/or fire officials. This bill does not provide that. Assuming that the representative of the "design community" is an architect, then one engineer is supposed to represent structural, mechanical, plumbing and electrical designers while the contractors get one seat each? There is no engineer I know of that can do that.*

*It has also been mentioned that the President of the Senate and the Speaker of the House may appoint members of the affected groups to the advisory panel. I note that no design oriented organizations are listed as possible members of the advisory panel while the construction community not only gets four seats on the task force but may also get membership on the advisory panel. I have seen from my experience with the Anchorage Assembly and the Anchorage Building Board (their advisory panel) that*

*being an advisor is not the same as being involved in the debate. Even testifying at the various Committee Hearings on this bill, once testimony was over the only people who spoke were on the committee or represented the sponsor. Being able to speak during the debate to correct misconceptions or offer compromises was not possible. Nor do I see that likely for members of the panel. I do not see this panel has having any more abilities to enter or influence the debate than the public who comes to testify. And there is no guarantee that the design community or the code officials will even have representation on that panel.*

*It has also been alleged that it would be bad to have a building or fire official on the task force because they oversee construction (possibly by the contractors on the task force) and thus may have undue influence over them (or, by implication, enact retribution). It was my understanding that the change in the language regarding mechanical, electrical, and plumbing "contractor" to representatives of those "construction industries" was to allow the appointment of an administrator (i.e., inspector). Do these people have less ability in this regard?*

*I urge you to add either another engineering position or a building official or a fire official to the task force. They are the ones who enforce codes and have an obligation to protect public safety. This could be done without enlarging the task force by combining the plumbing and mechanical construction industry seats into one seat. It has been mentioned in testimony by many mechanical contractors that they have both administrator certifications, so having two seats would be redundant.*

*Please let me know if you have any questions. I will do my best to get you answers.*

--

*Colin Maynard, PE  
BBFM Engineers Inc.  
510 L Street, Suite 200  
Anchorage, AK 99501  
907-274-2236  
907-274-2520 (fax)*

**Subject:** HB 269

**Date:** Thu, 15 May 2003 13:02:47 -0800

**From:** "Mathers, Doug" <dmathers@city.kodiak.ak.us>

**To:** <Senator\_Gary\_Stevens@legis.state.ak.us>

Senator Gary Stevens,

I would like a few moments of your time to explain my opinions about CS HB 269 (FIN). I think a task force to recommend public safety codes and to group them into one state agency is past due. I would like to suggest that the make up of this task force is flawed. It is the responsibility of local Building Departments and the State Fire Marshals Office to enforce these codes but we are not represented on the task force! We all work hard to see safe and economical buildings built and are an instrumental part of developing the current codes. The decision of which codes are adopted in The State of Alaska needs to be a cooperative agreement between all parties involved therefore all parties need to be represented on the task force. I strongly feel that we (Building Departments and Fire Marshal's Office) should be represented as part of the voting members.

Thanks for Your Time  
Doug Mathers  
City of Kodiak  
Building Official

# FISCAL NOTE

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

Fiscal Note Number: 1  
 Bill Version: CSHB 269(L&C)  
 (H) Publish Date: 5/2/03

Revision Date/Time (Note if correction):  
 Title Safety Code Task Force  
 Dept. Affected: DCED  
 BRU Occupational Licensing (117)  
 Component Occupational Licensing  
 Sponsor Representative Dahlstrom  
 Requester House Labor & Commerce Component No. 2360

**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>	<b>0.0</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 1156 - Receipt Supported Services						
<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)

HB 269 establishes a Safety Code Task Force with a representative from the Division of Occupational Licensing to serve on the advisory panel to the Task Force. Although the Task Force is allowed to meet as frequently as necessary, and allows for meetings and votes by teleconference, the division representative is anticipated to participate by teleconference. Therefore, no travel funds are necessary.

Prepared by: Jennifer Strickler, Administrative Manager  
 Division: Occupational Licensing  
 Approved by: Edgar Blatchford, Commissioner  
 Agency: Department of Community & Economic Development

Phone (907) 465-2144  
 Date/Time 4/28/03 1:31 PM  
 Date 4/28/2003

# FISCAL NOTE

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

Fiscal Note Number: 4  
 Bill Version: CSHB 269(FIN)  
 (H) Publish Date: 5/12/2003

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title Safety Code Task Force BRU Fire Prevention  
 Component Fire Prevention Operations  
 Sponsor Rep. Dahlstrom  
 Requester \_\_\_\_\_ Component No. 494

**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>						
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**FUND SOURCE (Thousands of Dollars)**

FUND SOURCE	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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)*

Prepared by: Representative Williams Phone \_\_\_\_\_  
Co-Chair Williams, House Finance Committee Date/Time 5/10/03 3:59 PM  
Representative Harris Date 5/10/2003  
Co-Chair Harris, House Finance Committee

# FISCAL NOTE

STATE OF ALASKA  
2003 LEGISLATIVE SESSION

Fiscal Note Number: 5  
Bill Version: CSHB 269(FIN)  
(H) Publish Date: 5/12/2003

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
Title: Safety Code Task Force BRU: Legislative Council  
Component: Council and Subcommittees  
Sponsor: Rep. Dahlstrom Legislative Operating Budget  
Requester: \_\_\_\_\_ Component No. 783

**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>						
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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)*

Prepared by: Representative Williams Phone \_\_\_\_\_  
Co-Chair Williams, House Finance Committee Date/Time 5/10/03 4:11 PM  
Representative Harris Date 5/10/2003  
Co-Chair Harris, House Finance Committee

**SENATE COMMITTEE REPORT**

5/14/03

FURTHER:

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

and Commerce Committee considered CS FOR HOUSE BILL NO. 269(FIN)

**HB 269 SAFETY CODE TASK FORCE**

establishing the Safety Code Task Force; and providing for an effective date."

Comments:

replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

opt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

attached amendment(s)

opt Letter of Intent by \_\_\_\_\_ Committee

her referral to \_\_\_\_\_ Committee

**Senate Bill:**

same title

new title

**House Bill:**

same title

technical title

new: SCR # \_\_\_\_\_

**FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

NATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>Joseph Lee</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
IR: <i>[Signature]</i>			<input checked="" type="checkbox"/>	

HB 269

# FISCAL NOTE

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

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB 269(FIN)  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Department: Labor and Workforce Development  
 Title: Safety Code Task Force BRU: Labor Standards and Safety  
 Component: Mechanical Inspection  
 Sponsor: Representative Dahlstrom  
 Requester: Senate L&C Component Number: 346

**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>						
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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)						
<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: None

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)

The bill would have a person from the department appointed to an advisory panel to the Safety Code Task Force. The department assumes all meetings will be through teleconference at no cost to the department.

Prepared by: Grey Mitchell, Director Phone: 465-4855  
 Division: Labor Standards and Safety Date/Time: 5/15/03 11:32 AM  
 Approved by: Greg O'Claray, Commissioner Date: 05/15/03  
 Agency: Department of Labor and Workforce Development

For distribution information, call the Governor's Legislative Office

# ALASKA STATE LEGISLATURE

**Vice Chair:**

Joint Armed Services Committee

**Member:**

Military and Veterans Affairs Committee  
Labor and Commerce Committee  
State Affairs Committee  
Economic Development, Trade, &  
Tourism Committee



**Session:**

Alaska State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Fax: (907) 465-2293  
Toll Free (877) 460-3783

**Interim:**

716 West 4th Avenue  
Anchorage, AK 99501-2133  
Phone: (907) 269-0174  
Fax: (907) 269-0177

## REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON  
Representative\_Nancy\_Dahlstrom@legis.state.ak.us

To: Representative Con Bunde, Senate Labor and Commerce Committee

From: Representative Nancy Dahlstrom

Date: May 14, 2003

Re: House Bill 269

---

Please schedule HB 269, an Act establishing a Safety Code Task Force for the House Floor at your earliest convenience

Included with the request is:

- 1) HB 269
- 2) Fiscal Note
- 3) Sponsor Statement

Thank you for your consideration.

**HB**

**270**

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# FISCAL NOTE

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

Fiscal Note Number: 1  
 Bill Version: HB 270  
 (H) Publish Date: 4/25/03

Revision Date/Time (Note if correction):  
 Title Pharmacist Licensing  
 Dept. Affected: DCED  
 BRU Occupational Licensing (117)  
 Component Occupational Licensing  
 Sponsor Representative Dahlstrom  
 Requester House Health Education & Social Services Component No. 2360

**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>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</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)*

This legislation authorizes the Board of Pharmacy to deny a license to an applicant who fails to meet certain criteria. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Administrative Manager Phone 907-465-2144  
 Division: Occupational Licensing Date/Time 4/22/03 7:43 AM  
 Approved by: Edgar Blatchford, Commissioner Date 4/22/2003  
 Agency: Department of Community & Economic Development

# ALASKA STATE LEGISLATURE

*Vice Chair:*  
Joint Armed Services Committee

*Member:*  
Military and Veterans Affairs Committee  
Labor and Commerce Committee  
State Affairs Committee  
Economic Development, Trade, &  
Tourism Committee



*Session:*  
Alaska State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3785  
Fax: (907) 465-2293  
Toll Free (877) 460-3785

*Interim:*  
716 West 4th Avenue  
Anchorage, AK 99501-2133  
Phone: (907) 269-0174  
Fax: (907) 269-0177

## REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON  
Representative\_Nancy\_Dahlstrom@legis.state.ak.us

### Sponsor Statement

#### HB 270

#### “An Act relating to the licensure of pharmacists; and providing for an effective date”

HB 270 was introduced to help the Board of Pharmacy address a problem that was unintentionally left out of the original version of the statutes.

The board of Pharmacy currently cannot deny a licensee based on actions that follow AS 08.80.261(a), however they can discipline a current licensee. This legislation gives the Board the authority to deny a license to a new applicant if they find that the applicant has committed fraud, deceit, falsely advertised, convicted of a felony, etc. as listed in AS 08.80.261(a).

The passage of this bill will provide the Board of Pharmacy the ability to ensure a greater degree of safety for Alaskan citizens.

I urge your support for HB 270.

4 of 4

PO Box 61328  
Fairbanks, AK 99706-1328  
April 17, 2003

Honorable Representative Nancy Dahlstrom  
Alaska State House of Representatives  
State Capitol, Room 108  
Juneau, AK 99801

RE: HB 270

Dear Representative Dahlstrom,

I would like to thank you for sponsoring HB 270 "an Act relating to the licensure of pharmacists." I have been a registered pharmacist in the State of Alaska for over 30 years and currently serve on the Alaska Board of Pharmacy. As the pharmacy statutes now stand, the Board does not have the authority to deny a license. Therefore, the board might be compelled to issue licenses to individuals with criminal and objectionable backgrounds (including felony drug convictions, felony weapons convictions, drug abuse, etc.). Your bill would allow the Board to refuse to license an applicant for the same reason that it may impose disciplinary sanctions. Giving the Board of Pharmacy this authority is necessary for the Board to protect the health and safety of the public.

Thank you again for your support,

Margaret D. Soden, RPh

**ALASKA PHARMACEUTICAL ASSOCIATION****Box 101185 Anchorage, Alaska 99510  
(907) 563-8880**

April 16, 2003

Honorable Representative Nancy Dahlstrom  
Alaska State House of Representatives  
State Capitol  
Juneau, AK 99801

RE: HB 270

Dear Representative Dahlstrom,

The Alaska Pharmacists Association, formerly the Alaska Pharmaceutical Association, represents over 200 licensed pharmacists and technicians in the State of Alaska. On behalf of our membership I would like to thank you for sponsoring HB 270 "an Act relating to the licensure of pharmacists." Our membership includes pharmacy staff members in retail, hospital, clinic, and institutional practice sites. All of these practice sites rely on the Board of Pharmacy to license professionals that are fit and competent to practice pharmacy.

As you are aware the statutory changes made by HB270 are needed in order for the Board of Pharmacy (BOP) to deny pharmacy licenses to individuals with questionable backgrounds. Currently the BOP has no specific statutory authority to deny individuals licenses to individuals who may have felony drug convictions or drug abuse problems, unless they had been previously licensed by the BOP. The current situation potentially puts both the safety of the public and the profession of pharmacy at risk.

Our association has put a high priority on getting the statutory changes included in HB270 into law. We thank you once again for sponsoring and introducing this bill. Please do not hesitate to contact our association or me directly at 907-225-6186 should you have any questions.

Sincerely,

Barry Christensen, Pharmacist  
Chair, Legislative Committee

HB

272

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# SENATE COMMITTEE REPORT

5/4/04

FURTHER:

DATE TURNED  
IN TO OFFICE: 5/5/04

and Commerce Committee considered CS FOR HOUSE BILL NO. 272(STA) am  
HB 272 MOTOR VEHICLE DEALERS

relating to the advertising of motor vehicles, including trailers, for sale by motor vehicle dealers; relating to the  
ing of motor vehicle purchases; relating to motor vehicle sales contracts; relating to the disclosures required to be  
y motor vehicle dealers when selling motor vehicles, including trailers, or when their service employees work  
n  
sion; relating to a motor vehicle dealer's selling as a new or current model vehicle, a motor vehicle required to be  
ed under AS 28.10; relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of a  
ehicle, including a trailer; relating to a motor vehicle dealer's conditioning the sale and delivery of a motor  
, including a trailer, on the buyer's purchase of other items; and relating to the return of a buyer's trade-in by a  
ehicle dealer."

Comments:

re replaced with S CS CSHB 272 (LR)

adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

Department	Date	Fiscal	Indet.	Zero	FN#
LAW	1/21/04			✓	#2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Keith Nelson</i>	✓			
<i>Beth Davis</i>			X	
<i>[Signature]</i>			X	
<i>[Signature]</i>			X	
CHAIR: <i>[Signature]</i>				

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: No. 2  
 Bill Version: SCS CSHB 272(CRA)  
 () Publish Date: (S) Publish Date: 5/4/04

Revision Date/Time (Note if correction): Dept. Affected: LAW  
 Title: "An Act relating to the advertising of motor vehicles..." RDU: Civil  
 Sponsor: Wayrauch Component: Commercial & Fair Business  
 Requester: Senate Transportation Component No. \_\_\_\_\_

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

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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>						
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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 (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*  
 This bill contains eight sections, but addresses two primary areas. Section 1 of the bill amends AS 08.66.015 to allow motor vehicle dealers to sell current model used vehicles that are obtained through normal trades in the ordinary course of business. Currently, the law prohibits the sale of any current model, used vehicles. Sections 2 through 8 are "clean-up" provisions that amend AS 45.25 dealing with sales and advertising practices of new and used motor vehicle dealers. Those provisions are largely editorial, correct errors in the statute, and re-word certain sections to make the language clear and understandable. Section 4 contains revisions that remove provisions of the statute that no longer apply to Alaska dealers. Section 5 adds a \$1,000 limitation on work that can be performed on a new vehicle before disclosure to a customer is required. Section 7 increases the number of miles a trade-in vehicle can be driven before a transaction is final.  
  
 Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughhete, Director Phone 465-3673  
 Division: Administrative Services Date/Time 1/21/04 11:39 AM  
 Approved by: Kathryn Daughhete for Gregg D. Renkes, Attorney General Date 1/21/2004  
 Agency: Department of Law

# ALASKA STATE LEGISLATURE

REPRESENTATIVE BRUCE WEYHRAUCH  
HOUSE DISTRICT 4



ALASKA  
STATE CAPITOL  
JUNEAU, ALASKA  
99801-1182

(907) 465-3744  
FAX (907) 465-2273

## Sponsor Statement

HB 272

### Revisions to the Comprehensive Motor Vehicle Sales & Dealers Act

In 2002, the 22<sup>nd</sup> Legislature passed HB 182, which addressed the relationship between dealers and manufacturers of motor vehicles. Together with the Attorney General's office and others, the sponsor of HB 182 crafted a bill that leveled the playing field between dealers & manufacturers in terms of how franchises in the state are conducted. It established guidelines for dispute resolution, uniform processes for transferring and terminating franchise agreements and provided protections to dealers for placement of new dealerships within proximity of established ones.

A final benefit, HB 182 concerned itself with protections for consumers from deceptive advertising.

Since HB 182 became law in July 2002, it has become apparent that some technical amendments and the repeal of several unenforceable provisions related to advertising are necessary. As such, the Alaska Automobile Dealers Association (AADA) and the Attorney General's Office of Fair Business Practices collaborated once more to affect these changes to the Motor Vehicle Sales & Dealers Act.

The Senate Transportation committee substitute deletes Section 1 and replaces it with Section 10, instructions to the Dept. of Law to continue monitoring and investigating consumer and enforcement problems associated with AS 08.66.015 that relate to the sale of motor vehicle dealers of motor vehicles as new or current model motor vehicles and to report back to the Legislature on January 24, 2005.

Contact: Linda Sylvester  
465-3744

Updated: May 3, 2004

# FISCAL NOTE

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

Fiscal Note Number: 1  
Bill Version: CSHB 272(L&C)  
(H) Publish Date: 5/12/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
Title "An Act relating to motor vehicle dealers." BRU Civil Division  
Component Fair Business Practices  
Sponsor Representative Weyhrauch  
Requester House Labor and Commerce Committee Component No. 2206

**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>						
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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

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 272 contains eight sections, but address two primary areas. Section 1 of the bill amends AS 08.66.015 to allow motor vehicle dealers to sell current model used vehicles that are obtained through normal trades in the ordinary course of business. Currently, the law prohibits the sale of any current model, used vehicles. Sections 2 through 8 are "clean-up" provisions that amend AS 45.25 dealing with sales and advertising practices of new and used motor vehicle dealers. These provisions are largely editorial, correct errors in the statute, and re-word certain sections to make the language clear and understandable. Section 4 contains revisions that remove provisions of the statute that no longer apply to Alaska dealers. Section 5 adds a \$1,000 limitation on work that can be performed on a new vehicle before disclosure to a customer. Section 7 increases the number of miles a trade-in vehicle can be driven before a transaction is final.

Passage of this legislation will have no fiscal impact on the Department of Law.

Prepared by: Joan M. Kasson Phone (907) 465-5370  
Division Attorney General's Office Date/Time 5/7/03 12:55 PM  
Approved by: Kathryn Daughhete for Gregg D. Renkes, Attorney General Date 5/7/2003  
Agency Department of Law

23-LS0975\S  
Bannister  
4/30/04

SENATE CS FOR CS FOR HOUSE BILL NO. 272( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVE WEYHRAUCH

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the advertising of motor vehicles, including trailers, for sale by  
2 motor vehicle dealers; relating to the financing of motor vehicle purchases; relating to  
3 motor vehicle sales contracts; relating to the disclosures required to be made by motor  
4 vehicle dealers when selling motor vehicles, including trailers, or when their service  
5 employees work on a commission; relating to a motor vehicle dealer's selling as a new or  
6 current model vehicle, a motor vehicle required to be registered under AS 28.10;  
7 relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of  
8 a motor vehicle, including a trailer; relating to a motor vehicle dealer's conditioning the  
9 sale and delivery of a motor vehicle, including a trailer, on the buyer's purchase of other  
10 items; and relating to the return of a buyer's trade-in by a motor vehicle dealer."

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

12 \* Section 1. AS 45.25.400(b) is amended to read:

1 (b) A motor vehicle dealer may use the term "manufacturer's suggested retail  
2 price," "MSRP," or "list price" in an advertisement for the sale of a motor vehicle,  
3 subject to the restriction on price comparisons in AS 45.25.450 and the following:

4 (1) the advertised price must reference the final price listed by the  
5 manufacturer on the monroney sticker, including accessories and options physically  
6 attached to the vehicle at the time of delivery to the dealer, plus any transportation  
7 charges, and minus all manufacturer discounts and savings;

8 (2) the manufacturer's suggested retail price or the list price does not  
9 include charges added by the dealer or options added to the vehicle by the dealer; and

10 (3) whenever using the term "manufacturer's suggested retail price,"  
11 "MSRP," or "list price," the dealer [SHALL PROVIDE IN THE ADVERTISEMENT  
12 A CLEAR AND CONSPICUOUS DISCLOSURE THAT STATES THAT A SALE]  
13 may not represent that a buyer would save money by paying a [HAVE  
14 OCCURRED AT THAT] price that is lower than the "manufacturer's suggested  
15 retail price," "MSRP," or "list price".

16 \* Sec. 2. AS 45.25.410 is amended to read:

17 **Sec. 45.25.410. Availability of advertised items.** A motor vehicle dealer  
18 may not advertise a new motor vehicle [VEHICLES AND RELATED GOODS OR  
19 SERVICES] at a specified dealer price with the intent not to supply reasonably  
20 expected demand, unless the advertisement discloses the number of vehicles in stock  
21 at the advertised price.

22 \* Sec. 3. AS 45.25.460(a) is amended to read:

23 (a) In addition to the provisions of AS 45.50.471 and regulations adopted  
24 under AS 45.50.471, a motor vehicle dealer [MAY NOT]

25 (1) shall include in [EXCLUDE FROM] an advertisement of a motor  
26 vehicle for sale all [THAT TAXES, IF APPLICABLE, VEHICLE REGISTRATION  
27 FEES, FINANCE CHARGES, CHARGES FOR THE ISSUANCE OF ANY  
28 CERTIFICATE OF COMPLIANCE OR NONCOMPLIANCE REQUIRED BY  
29 STATUTE, OR OTHER] fees or charges, except fees or charges to be paid to a third  
30 party [THAT ARE NOT OTHERWISE INCLUDED IN THE ADVERTISED PRICE  
31 WILL BE ADDED TO THE ADVERTISED PRICE AT THE TIME OF THE SALE];

1 (2) may not represent the dealer document preparation fee as a  
2 government fee;

3 (3) may not advertise a specific motor vehicle for sale without  
4 identifying the vehicle by either its vehicle identification number, vehicle stocking  
5 number, or license number;

6 (4) may not advertise that free merchandise, gifts, or services will be  
7 provided by the dealer if a vehicle is purchased; in this paragraph, "free" includes  
8 merchandise or services offered for sale at a price less than the dealer's cost for the  
9 merchandise or services;

10 (5) may not use the term "rebate," "cash back," or a similar term in  
11 advertising the sale of a motor vehicle unless the rebate is expressed in a specific  
12 dollar amount and is in fact a rebate offered by the vehicle manufacturer or distributor  
13 directly to the retail buyer of the vehicle;

14 (6) may not require a person, in order to receive the advertised credit  
15 terms, to pay a higher price for a motor vehicle and any related goods or services than  
16 the cash price the same person would have to pay to purchase the same vehicle and  
17 related goods or services;

18 (7) may not advertise a guaranteed trade-in allowance or range of  
19 allowances unless the guarantee is provided by the manufacturer or distributor;

20 (8) may not affix to a new motor vehicle a supplemental price sticker  
21 containing a price that represents the dealer's asking price if the supplemental price  
22 sticker exceeds the manufacturer's suggested retail price, unless the supplemental  
23 sticker

24 (A) clearly and conspicuously, in the largest print appearing on  
25 the sticker other than the print size used for the dealer's name, discloses that  
26 the supplemental sticker price is the dealer's asking price, or words of similar  
27 meaning, and is not the manufacturer's suggested retail price;

28 (B) clearly and conspicuously discloses the manufacturer's  
29 suggested retail price; and

30 (C) states, if the supplemental sticker price is greater than the  
31 sum of the manufacturer's suggested retail price and the price of the items