A BILL

FOR AN ACT ENTITLED

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

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

* Section 1. AS 02.15.040 is amended to read:

Sec. 02.15.040. Cooperation with federal agencies. The department shall cooperate with the Federal Emergency Management Agency, the armed forces of the United States government, and the Federal Aviation Administration [AGENCY] for the purpose of coordinating aviation activities in carrying out the Civil Defense Program.

* Sec. 2. AS 02.15.170 is amended to read:

Sec. 02.15.170. Duty of department. The department shall assist and cooperate with the Department of Education and Early Development, the University of Alaska, the Civil Air Patrol, the Federal Aviation Administration [AGENCY] and other civic, state and federal agencies in the development of a sound aeronautical
educational program in the state by providing financial and material aid within its means and the use of state aviation facilities and equipment whenever possible.

* Sec. 3. AS 02.20.040(b) is amended to read:

(b) Flight plans shall be filed by pilots of aircraft, both private and commercial, before or immediately after taking off on a flight that will take the aircraft more than 15 air miles distant from its point of departure. The flight plan shall be filed with a federal aviation administration [AGENCY] communications station or control tower, if one can be contacted; otherwise all essential details of a flight plan shall be left with a responsible person at the point of departure. Each flight plan will be closed with the proper communicator or tower operator immediately upon completion of each flight, if possible.

* Sec. 4. AS 02.35.120 is amended to read:

Sec. 02.35.120. Penalties for violation of chapter except AS 02.35.090 and 02.35.110. A person who acts as an airman for a civil aircraft when flown or operated in this state, except as provided in AS 02.35.080 and 02.35.100, without holding an existing airman's license or permit issued in accordance with this chapter and federal law; or who flies or causes to be flown in this state any civil aircraft, except as provided in AS 02.35.080 and 02.35.100, without an existing license or permit for that aircraft issued in accordance with the provisions of this chapter and federal law; or who violates a provision of this chapter other than AS 02.35.090 or 02.35.110 or a regulation adopted under this chapter, is punishable by a fine of not more than $500 or by imprisonment for not more than six months or by both.

* Sec. 5. AS 03.20.020(a) is amended to read:

(a) Fairs may be held each year in each of the house [ELECTION] districts, and state aid for the operation and maintenance of the fairs may not exceed a basic grant of $10,000; however, fairs in existence five years or longer may receive an increment grant not to exceed $2,500 per year of existence to a maximum of $75,000. The people of each district sponsoring a fair are not eligible for state aid unless they subscribe to spend from their own funds for that purpose an amount equal to the amount of the state aid and have or organize an agricultural and industrial fair association for the operation and maintenance of the fairs. Each fair receiving state
aid is open to entries by the people of the whole state, and special provision shall be
made for exhibits from boys' and girls' clubs.

* Sec. 6. AS 03.20.050 is amended to read:

Sec. 03.20.050. More than one association and fair permitted. Nothing in
this chapter prohibits the formation of more than one agricultural and industrial fair
association in each house [ELECTION] district or the holding of an agricultural and
industrial fair in several places in each district. When more than one association is
formed in a house [ELECTION] district or when a fair is held in more than one place
in the district, the minimum operational aid is $250. When more than one association
applies for the benefits of this chapter, the commissioner shall divide the money
allotted to the district among the applicants in proportion to the amount justified at the
time of application.

* Sec. 7. AS 06.05.230 is amended to read:

Sec. 06.05.230. Investment in property and banking premises. A bank may
acquire, purchase, hold, and convey real and personal property for the following
purposes only:

(1) that which is necessary for the convenient transaction of, or the
promotion of, its business, including buildings containing banking offices, equipment,
furniture and fixtures, art work, leasehold improvements, parking lots, and, with the
prior approval of the department, real property reasonably anticipated to be necessary
for future expansion of the bank, if the book asset value of the purchase or investment
does not exceed 60 percent of the capital and surplus of the bank;

(2) the satisfaction of or on account of debts previously contracted in
the course of its business;

(3) the purchase at sale under judgment, decree, lien, or mortgage
foreclosure, against security held by it;

(4) that which is necessary in connection with a negatively
amortizing loan described under AS 45.45.010(f).

* Sec. 8. AS 06.20.250(e) is amended to read:

(e) If the irregular payment is confirmed in writing by the borrower, and the
method of repayment is consistent with the maximum term and annual interest rate
provided in this chapter, and if a borrower demonstrates sufficient seasonal or extraordinary income to support repayment of a loan, the loan contract may provide for irregular payments and first payment [LOAN] extensions greater than 45 days from the date the loan is made.

* Sec. 9. AS 08.06.030(a) is amended to read:

(a) A person is qualified to receive a license to practice acupuncture if the person

(1) is of good moral character;

(2) is at least 21 years of age;

(3) either

(A) has completed a course of study consistent with the core curriculum and guidelines of the Accreditation Commission for Acupuncture and Oriental Medicine [NATIONAL COUNCIL OF ACUPUNCTURE SCHOOLS AND COLLEGES] at a school of acupuncture approved by the department; or

(B) is licensed to practice acupuncture in another jurisdiction that has acupuncture licensing requirements equivalent to those of this state;

(4) is qualified for certification by the National Certification Commission for Acupuncture and Oriental Medicine [NATIONAL COMMISSION FOR THE CERTIFICATION OF ACUPUNCTURISTS] as a diplomate in acupuncture;

(5) does not have a disciplinary proceeding or unresolved complaint pending at the time of application; and

(6) has not had a license to practice acupuncture suspended or revoked in this state or in another jurisdiction.

* Sec. 10. AS 08.24.380 is amended by adding a new paragraph to read:

(5) "commissioner" means the commissioner of community and economic development.

* Sec. 11. AS 08.32.187(a) is amended to read:

(a) This chapter applies to a person who practices, or offers or attempts to practice, as a dental hygienist in the state except

(1) a dental hygienist in the military service in the discharge of official
duties;

(2) a dental hygienist in the employ of the United States Public Health Service, United States **Department of Veterans Affairs** [VETERANS' ADMINISTRATION], Alaska Native Service, or another agency of the federal government, in the discharge of official duties;

(3) a dental hygienist licensed in another state who is teaching or demonstrating clinical techniques at a meeting, seminar, or limited course of instruction sponsored by a dental or dental auxiliary society or association or by an accredited dental or dental auxiliary educational institution.

*Sec. 12.* AS 08.36.247(b) is amended to read:

(b) This section may not be construed as limiting or preventing a licensed and qualified dentist from performing, without a specialty license, dental acts or services to the public in any of the branches of dentistry, except that a dentist may not administer a general anesthetic to a patient without a valid permit as required by regulations of the [DENTAL EXAMINERS] board.

*Sec. 13.* AS 08.36.350(a) is amended to read:

(a) This chapter applies to a person who practices, or offers or attempts to practice, dentistry in the state except

(1) a dental surgeon or dentist in the military service in the discharge of official duties;

(2) a dentist in the employ of the United States Public Health Service, United States **Department of Veterans Affairs** [VETERANS' ADMINISTRATION], Alaska Native Service, or other agency of the federal government, in the discharge of official duties;

(3) a physician or surgeon;

(4) a dentist providing care in an isolated area by authority of a permit issued under AS 08.36.271;

(5) a dentist licensed in another state who is teaching or demonstrating clinical techniques at a meeting, seminar, or limited course of instruction sponsored by a dental or dental auxiliary society or association or by an accredited dental or dental auxiliary educational institution;
(6) a dentist licensed in another state who provides emergency care to
an injured or ill person who reasonably appears to the dentist to be in immediate need
of emergency aid in order to avoid serious harm or death if the care is provided
without remuneration.

* Sec. 14. AS 08.38.100 is amended by adding a new paragraph to read:

(4) "department" means the Department of Community and Economic
Development.

* Sec. 15. AS 08.42.070(a) is amended to read:

(a) The department may recognize the license issued to an embalmer or funeral
director from another state if the applicant

(1) furnishes proof satisfactory to the department that the applicant

(A) has complied, in the state in which the applicant is licensed,
with requirements substantially equal to the requirements of this chapter; or

(B) [FURNISHES PROOF SATISFACTORY TO THE
department that the applicant] meets the applicable requirements
for the license for which the applicant is applying except for the apprenticeship
and examination provisions and that the applicant is licensed in another state
and has practiced mortuary science for at least one year in a state where the
applicant is licensed; and

(2) takes and passes the examination provided for in (b) of this section.

* Sec. 16. AS 08.42.100 is amended to read:

Sec. 08.42.100. Funeral establishment permit. A person may not conduct, maintain, manage, or operate a funeral establishment
unless a permit for each establishment has been issued by the department and is
conspicuously displayed in the funeral establishment. Each permit is valid only for
one specific location, and each firm operating from the same funeral establishment
shall obtain a separate permit. The department shall issue a permit to operate a funeral
establishment upon application for the permit on a form provided by the department.
All permits expire at the time established under AS 08.01.100 and may be renewed for
successive terms. Violation of a provision of AS 08.42.090 by a person operating a
funeral establishment or, with that person's knowledge or consent, by an employee is
considered sufficient cause for suspension or revocation of the funeral establishment permit.

* **Sec. 17.** AS 08.52.010 is amended to read:

**Sec. 08.52.010. Power to adopt regulations.** The Department of Labor and Workforce Development[,] REFERRED TO IN THIS CHAPTER AS "DEPARTMENT",[] may issue orders and adopt regulations relating to the storage and use of explosives necessary to carry out the purposes of this chapter.

* **Sec. 18.** AS 08.52 is amended by adding a new section to read:

**Sec. 08.52.100. Definition.** In this chapter, "department" means the Department of Labor and Workforce Development.

* **Sec. 19.** AS 09.25.121 is amended to read:

**Sec. 09.25.121. Copies of public records for veterans.** When a copy of a public record is required by the Department of Military and Veterans' Affairs, the Department of Community and Economic Development, or by the United States Department of Veterans Affairs [VETERANS' ADMINISTRATION] to be used in determining the eligibility of a person to participate in benefits, the official custodian of the public record shall, without charge, provide the applicant for the benefits, a person acting on behalf of the applicant, or an authorized representative of the department or the United States Department of Veterans Affairs [VETERANS' ADMINISTRATION] with a certified copy of the record.

* **Sec. 20.** AS 10.06.480(a) is amended to read:

(a) In addition to other liabilities, a director is liable in the following circumstances unless the director complies with the standard provided in AS 10.06.450(b) for the performance of the duties of directors:

   (1) **A** director who votes for or assents to a distribution to the corporation's shareholders contrary to the provisions of AS 10.06.358, 10.06.360, 10.06.363, or 10.06.365 or contrary to a restriction in the articles of incorporation[,] is liable to the corporation, jointly and severally with all other directors voting for or assenting to the distribution, for the amount of the distribution that is paid or the value of the assets that are distributed in excess of the amount of the distribution that could have been paid or distributed without violation of **AS 10.06.305 - 10.06.390**
[AS 10.06.405 - 10.06.438] or the restrictions of the articles of incorporation; [.]

(2) a [A] director who votes for or assents to a distribution to the corporation's shareholders during the liquidation of the corporation without the payment and discharge of, or making adequate provision for, all known debts, obligations, and liabilities of the corporation is liable to the corporation, jointly and severally with all other directors voting for or assenting to distribution, for the value of the assets that are distributed, to the extent that the debts, obligations, and liabilities of the corporation are not thereafter paid and discharged; [.]

(3) a [A] director who votes for or assents to a loan of assets of the corporation to an officer or employee or a loan secured by the corporation's shares contrary to the provisions of AS 10.06.485 or contrary to a restriction in the articles of incorporation [,] is liable to the corporation, jointly and severally with all other directors voting for or assenting to the loan, for the amount of the loan that is in excess of a loan that could have been extended without a violation of AS 10.06.485 or the restriction in the articles of incorporation.

* Sec. 21. AS 10.20.590 is amended to read:

Sec. 10.20.590. Limitations on revocation of certificate of authority. The commissioner may not revoke a certificate of authority of a foreign corporation unless

(1) the commissioner has given the corporation at least 60 days' notice by mail addressed to its registered office in the state; and

(2) the corporation fails, before revocation, to file the biennial [ANNUAL] report, or pay the fees, or file the required statement of change of registered agent or registered office, or file the articles of amendment or articles of merger, or correct the misrepresentation.

* Sec. 22. AS 13.16.580 is amended to read:

Sec. 13.16.580. Purchasers from distributees protected. If property distributed in kind or a security interest in it is acquired for value by a purchaser from or lender to a distributee who has received an instrument or deed of distribution from the personal representative, the purchaser or lender takes title free of rights of any interested person in the estate and incurs no personal liability to the estate, or to any interested person, whether or not the distribution was proper or supported by court
order and whether or not the authority of the personal representative was terminated
before execution of the instrument or deed. This section protects a purchaser from or
lender to a distributee who, as personal representative, executed the deed of
distribution, as well as a purchaser from or lender to any other distributee or transferee
of a distributee. To be protected under this provision, a purchaser or lender need not
inquire whether a personal representative acted properly in making the distribution in
kind, even if the personal representative and the distributee are the same person, or
whether the authority of the personal representative had terminated before the
distribution. Any instrument described in this section which is recorded under
AS 40.17 [AS 34.15] or filed under AS 45.09 [AS 45.05] and which bears a notation
of that recordation or filing is prima facie evidence that the transfer described in it was
made for value.

* Sec. 23. AS 13.26.105(d) is amended to read:

(d) If the petition seeks the appointment of a guardian for an incapacitated
person who is a veteran or a minor entitled to the payment of money from the United
States Department of Veterans Affairs [FEDERAL VETERANS' ADMINISTRATION], the petitioner shall give notice of the petition to the United
States Department of Veterans Affairs [ADMINISTRATOR OF THE FEDERAL VETERANS' ADMINISTRATION].

* Sec. 24. AS 13.26.135(a) is amended to read:

(a) In a proceeding for the appointment, change in responsibilities, or removal
of a guardian, or termination of guardianship, other than the appointment of a
temporary guardian or temporary suspension of a guardian, notice of hearing shall be
given to each of the following:

(1) the ward or respondent by the visitor as provided in AS 13.26.107;
(2) any person who is serving as guardian or conservator of the ward
or respondent, or who has care and custody of the ward or respondent;
(3) in case a [NO OTHER] person is not notified under (4) of this
subsection, at least one of the closest adult relatives of the ward or respondent, if any
can be found;
(4) the spouse, parents, and adult children of the ward or respondent;
(5) any person who performed an evaluation for the visitor's report within the previous two years;

(6) the ward's or respondent's attorney;

(7) the ward's or respondent's guardian ad litem if one has been appointed; and

(8) the United States Department of Veterans Affairs [ADMINISTRATOR OF THE FEDERAL VETERANS' ADMINISTRATION] if the United States Department of Veterans Affairs [ADMINISTRATOR] was given notice under AS 13.26.105(d).

* Sec. 25. AS 14.07.075 is amended to read:

**Sec. 14.07.075. Creation.** There is created at the head of the Department of Education and Early Development a Board of Education and Early Development consisting of seven members.

* Sec. 26. AS 14.40.325 is amended to read:

**Sec. 14.40.325. Reallocation within state appropriations.** Notwithstanding the provisions of AS 37.07.080(e), each appropriation to the University of Alaska is subject to reallocation by the university administration under procedures established by the Board of Regents and the office of management and budget [DIVISION OF BUDGET REVIEW] in the Office of the Governor. Transfers may not be made between appropriations except as provided in an Act making transfers between appropriations.

* Sec. 27. AS 15.05.010 is amended to read:

**Sec. 15.05.010. Voter qualification.** A person may vote at any election who

(1) is a citizen of the United States;

(2) is 18 years of age or older;

(3) [REPEALED;]

(4) has been a resident of the state and of the house [ELECTION] district in which the person seeks to vote for at least 30 days just before the election; and

(4) [5] REPEALED

(6) has registered before the election as required under AS 15.07 and
is not registered to vote in another jurisdiction.

* Sec. 28. AS 15.05.012 is amended to read:

**Sec. 15.05.012. Voter qualification for presidential election.** A person who
is otherwise qualified under AS 15.05.010 but who has not been a resident of the
house [ELECTION] district in which the person seeks to vote for at least 30 days
preceding the date of a presidential election is entitled to register and vote for
presidential and vice-presidential candidates.

* Sec. 29. AS 15.07.030 is amended to read:

**Sec. 15.07.030. Who may register.** (a) A person who has the qualifications
of a voter as set out in AS 15.05.010(1) - (3) [AS 15.05.010(1) - (4),] or who will
have the qualifications at the succeeding primary or general election [,] is entitled to
be registered as a voter in the precinct in which the person resides.

(b) A person qualified under AS 15.05.011 to vote by absentee ballot
in a federal election is entitled to be registered as a voter in the house [ELECTION]
district in which the person resided immediately before departure from the United
States.

* Sec. 30. AS 15.07.040 is amended to read:

**Sec. 15.07.040. Time for registration.** A person who is qualified under
AS 15.05.010(1) - (3) [AS 15.05.010(1) - (4)] is entitled to register at any time
throughout the year except that a person under 18 years of age may register at any
time within 90 days immediately preceding the person’s 18th birthday.

* Sec. 31. AS 15.07.090(c) is amended to read:

(c) The director shall transfer the registration of a voter from one precinct to
another within a house [AN ELECTION] district when requested by the voter. The
request shall be made 30 or more days before the election day. The director shall
transfer the registration of a voter from one house [ELECTION] district to another
when requested by the voter. The voter must reside in the new house [ELECTION]
district for at least 30 days in order to vote.

* Sec. 32. AS 15.07.090(d) is amended to read:

(d) A person who claims to be a registered voter, but for whom no evidence
of registration in the precinct can be found, shall be granted the right to vote in the
same manner as that of a questioned voter and the ballot shall be treated in the same manner. The ballot shall be considered to be a "questioned ballot" and shall be so designated. The director or the director's representative shall determine whether the voter is registered in the house [ELECTION] district before counting the ballot. A voter who has failed to obtain a transfer as provided in (c) of this section shall vote a "questioned ballot" in the precinct in which the voter resides.

* Sec. 33. AS 15.07.120 is amended to read:

Sec. 15.07.120. Custody of registers. A master register shall at all times remain in the custody of the director. The person who is the area election supervisor shall likewise maintain a register of all voters within the precincts of the area house [ELECTION] district that person supervises.

* Sec. 34. AS 15.07.160(a) is amended to read:

(a) Except as provided in AS 15.07.135, a registration official may not refuse to register a person who is qualified to vote under provisions of AS 15.05.010(1) - (3) [AS 15.05.010(1) - (4)].

* Sec. 35. AS 15.10.040 is amended to read:

Sec. 15.10.040. Restriction on precinct boundary modification. A precinct may not include territory lying within more than one house [ELECTION] district. Whenever practicable, precinct boundaries shall conform to municipal boundaries.

* Sec. 36. AS 15.10.090 is amended to read:

Sec. 15.10.090. Notice of precinct boundary designation and modification. The director shall give full public notice when precinct boundaries are designated and when the boundaries of a precinct are modified or when a precinct is established or abolished. Public notice shall include, but is not limited to, the publication on three different days in a daily newspaper of general circulation, if such a newspaper is published in the house [ELECTION] district where the precinct is located, by posting written notice in three conspicuous places in the designated precinct, and by notification to appropriate municipal clerks.

* Sec. 37. AS 15.10.110 is amended to read:

Sec. 15.10.110. Appointment of election supervisors. The director shall appoint election supervisors, including one in each of the municipalities of Juneau,
Anchorage, Fairbanks, and Nome, to assist in the administration of elections in the

house [ELECTION] districts designated by the director. The director may appoint as
an election supervisor a person who is a qualified voter in the area over which the
person has jurisdiction and who meets the applicable requirements of AS 15.10.105(b).
An election supervisor is entitled to receive compensation in an amount that is
comparable to that received for similar state employment as determined by the director.

* Sec. 38. AS 15.13.020(j) is amended to read:

(j) The commission shall establish an office, which may be called a regional
office, in each senate district in the state to keep on file for public inspection copies
of all reports filed with the commission by candidates for statewide office and by
candidates for legislative office in that district; however, where one municipality
contains more than one house [ELECTION] district, only one commission office shall
be established in that municipality. The regional office shall make all forms and
pertinent material available to candidates. All reports shall be filed by candidates,
groups, and individuals directly with the commission's central district office. The
commission shall ensure that copies of all reports by statewide and legislative
candidates in each senate district are forwarded promptly to that district or regional
office.

* Sec. 39. AS 15.13.400(10) is amended to read:

(10) "political party" means

(A) an organized group of voters that represents a political
program and that nominated a candidate for governor who received at least
three percent of the total votes cast at any one of the last five preceding general
elections for governor; and

(B) a subordinate unit of the organized group of voters
qualifying as a political party under (A) of this paragraph if, consistent with the
rules or bylaws of the political party, the unit conducts or supports campaign
operations in a municipality, neighborhood, house [ELECTION] district, or
precinct;

* Sec. 40. AS 15.15.030(6) is amended to read:

(6) The general election ballot shall be designed with the position of
names of the candidates set out in the same order in each section on each ballot used in a house [AN ELECTION] district. However, the order of placement of the names of the candidates for each office shall be randomly determined by the director for ballots printed for use in each house [ELECTION] district.

* Sec. 41. AS 15.15.060(d) is amended to read:

(d) When the director determines that there is an area in the state where a voter may be confused as to the voter's correct precinct polling place, the director shall provide each polling place in that area with maps and materials that [WHICH] indicate house [ELECTION] district boundaries, precinct boundaries, and polling places.

* Sec. 42. AS 15.15.070(b) is amended to read:

(b) The notice shall be given by publication at least twice in one or more newspapers of general circulation in each of the four major house [ELECTION] districts. The printed notice must [SHALL] specifically include but is not limited to the date of election, the hours between which the polling places will be open, the offices to which candidates are to be nominated or elected, and the subject of the propositions and questions that [WHICH] are to be voted on.

* Sec. 43. AS 15.20.015 is amended to read:

Sec. 15.20.015. Moving from house [Election] district just before election. A person who meets all voter qualifications except that listed in AS 15.05.010(3) [AS 15.05.010(4)] is qualified to vote by absentee ballot in the house [ELECTION] district in which the person formerly resided if the person lived in that house [ELECTION] district for at least 30 days immediately before changing residence.

* Sec. 44. AS 15.20.045(b) is amended to read:

(b) The director may designate by regulation adopted under AS 44.62 [THE Administrative Procedure Act [(AS 44.62)] locations at which absentee voting stations will be operated on election day and on other dates and at times to be designated by the director. The director shall supply absentee voting stations with ballots for all house [ELECTION] districts in the state and shall designate absentee voting officials to serve at absentee voting stations.

* Sec. 45. AS 15.20.061(a) is amended to read:
A qualified voter may apply in person for an absentee ballot to the following election officials at the times specified:

1. to an absentee voting official in the house [ELECTION] district in which the voter resides on or after the 15th day before an election up to and including the day before the date of the election;

2. to an election supervisor
   (A) after a date announced by the director under AS 15.20.048(b); and
   (B) on or after the 15th day before an election up to and including the date of the election;

3. to an absentee voting official at an absentee voting station designated under AS 15.20.045(b) at any time when the absentee voting station is operating;

4. to an absentee voting official in the precinct in which the voter resides when distances preclude easy access to the polling place on or after the 15th day before an election up to and including election day;

5. to an absentee voting official in the precinct in which no volunteers can be located to serve on the election board on or after the 15th day before an election up to and including election day.

* Sec. 46. AS 15.20.081(e) is amended to read:

(e) An absentee ballot must be marked on or before the date of the election.

Except as provided in (h) of this section, a voter who returns the absentee ballot by mail, whether provided to the voter by mail or by electronic transmission, shall use a mail service at least equal to first class and mail the ballot not later than the day of the election to the election supervisor for the house [ELECTION] district in which the voter seeks to vote. Except as provided in AS 15.20.480, the ballot may not be counted unless it is received by the close of business on the 10th day after the election. If the ballot is postmarked, it must be postmarked on or before election day. After the day of the election, ballots may not be accepted unless received by mail.

* Sec. 47. AS 15.20.211(a) is amended to read:

(a) If a qualified voter of the state votes a ballot for a house [AN ELECTION]
district other than the house [ELECTION] district in which the voter is registered, the votes cast for statewide candidates and for statewide ballot propositions and statewide questions shall be counted. If the qualified voter voted for a candidate for the state senate from the senate district in which the voter is a resident, the vote shall be counted. The votes cast for candidates or ballot propositions or questions not appearing on the ballot of the district in which the voter is a resident may not be counted.

* Sec. 48. AS 15.20.430(a) is amended to read:

   (a) A defeated candidate or 10 qualified voters who believe there has been a mistake made by an election official or by the counting board in counting the votes in an election, may file an application within five days after the completion of the state review to the director for a recount of the votes from any particular precinct or any house [ELECTION] district and for any particular office, proposition, or question. However, the application may be filed only within three days after the completion of the state review after the general election for a recount of votes cast for the offices [OFFICE] of governor and lieutenant governor. If there is a tie vote as provided in AS 15.15.460, the director shall initiate the recount and give notice to the interested parties as provided in AS 15.20.470.

* Sec. 49. AS 15.20.440(a) is amended to read:

   (a) The application must [SHALL] state in substance the basis of the belief that a mistake has been made, the particular election precinct or house [ELECTION] district for which the recount is to be held, the particular office, proposition, or question for which the recount is to be held, and that the person making the application is a candidate or that the 10 persons making the application are qualified voters. The candidate or persons making the application shall designate by full name and mailing address two persons who shall represent the applicant and be present and assist during the recount. Any person may be named representative, including the candidate or any person signing the application. Applications by 10 qualified voters must [SHALL] also include the designation of one of the number as chair. The candidate or persons making the application shall sign the application and shall print or type their full names [NAME] and mailing addresses [ADDRESS].
Sec. 50. AS 15.20.450 is amended to read:

Sec. 15.20.450. Requirement of deposit. The application **must** [SHALL] include a deposit in cash, by certified check, or by bond with a surety approved by the director. The amount of the deposit is $300 for each precinct, $750 for each house [ELECTION] district, and $10,000 for the entire state. If the recount includes an office for which candidates received a tie vote, or the difference between the number of votes cast was 20 or less or was less than .5 percent of the total number of votes cast for the two candidates for the contested office, or a question or proposition for which there was a tie vote on the issue, or the difference between the number of votes cast in favor of or opposed to the issue was 20 or less or was less than .5 percent of the total votes cast in favor of or opposed to the issue, the application need not include a deposit, and the state shall bear the cost of the recount. If, on the recount, a candidate other than the candidate who received the original election certificate is declared elected, or if the vote on recount is determined to be four percent or more in excess of the vote reported by the state review for the candidate applying for the recount or in favor of or opposed to the question or proposition as stated in the application, the entire deposit shall be refunded. If the entire deposit is not refunded, the director shall refund any money remaining after the cost of the recount has been paid from the deposit.

Sec. 51. AS 15.25.030(a) is amended to read:

(a) A member of a political party who seeks to become a candidate of the party in the primary election shall execute and file a declaration of candidacy. The declaration shall be executed under oath before an officer authorized to take acknowledgments and **must** [SHALL] state in substance [:]

1. the full name of the candidate;
2. the full mailing address of the candidate;
3. if the candidacy is for the office of state senator or state representative, the house [ELECTION] or senate district of which the candidate is a resident;
4. the office for which the candidate seeks nomination;
5. the name of the political party of which the person is a candidate;
for nomination;

(6) the full residence address of the candidate, and the date on which
residency at that address began;

(7) the date of the primary election at which the candidate seeks
nomination;

(8) the length of residency in the state and in the district of the
candidate;

(9) that the candidate will meet the specific citizenship requirements
of the office for which the person is a candidate;

(10) that the candidate is a qualified voter as required by law;

(11) that the candidate will meet the specific age requirements of the
office for which the person is a candidate;

(12) that the candidate requests that the candidate's name be placed on
the primary election ballot;

(13) that the required fee accompanies the declaration;

(14) that the person is not a candidate for any other office to be voted
on at the primary or general election and that the person is not a candidate for this
office under any other declaration of candidacy or nominating petition;

(15) the manner in which the candidate wishes the candidate's name to
appear on the ballot; and

(16) that the candidate is registered to vote as a member of the political
party whose nomination is being sought.

* Sec. 52. AS 15.25.043 is amended to read:

Sec. 15.25.043. Determination of residency of a candidate. In determining
the residence within a house [AN ELECTION] district of a qualified voter for the
purposes of compliance with art. II, sec. 2 of the Alaska Constitution, the director shall
apply the rules established in AS 15.05.020 together with the following rules:

(1) a person establishes residence within a house [AN ELECTION]
district

(A) by actual physical presence at a specific location within the
(B) by maintaining a habitation at the specific location;

(2) a person may maintain a place of residence at a specific location within a district while away from the location for purposes of employment, education, military service, or vacation if the person does not establish residency at another location; and

(3) a qualified voter loses residence by voting in another house [ELECTION] district or in another state's elections.

* Sec. 53. AS 15.25.170 is amended to read:

Sec. 15.25.170. Required number of signatures for district-wide office.

Petitions for the nomination of candidates for the office of state senator or state representative shall be signed by qualified voters of the house [ELECTION] or senate district in which the proposed nominee desires to be a candidate equal in number to at least one percent of the number of voters who cast ballots in the proposed nominee's respective house [ELECTION] or senate district in the preceding general election. A nominating petition may not contain less than 50 signatures for any district.

* Sec. 54. AS 15.40.440 is amended to read:

Sec. 15.40.440. Requirements of petition for no-party candidates. Petitions for the nomination of candidates not representing a political party shall be signed by qualified voters equal in number to at least one percent of the number of voters who cast ballots in the proposed nominee's respective house [ELECTION] or senate district in the preceding general election. A nominating petition may not contain less than 50 signatures for any district, and must [SHALL] state in substance that which is required in petitions for nomination by AS 15.25.180.

* Sec. 55. AS 15.45.140 is amended to read:

Sec. 15.45.140. Filing of petition. The sponsors must file the initiative petition within one year from the time the sponsors received notice from the lieutenant governor that the petitions were ready for delivery to them, and the petition must be signed by qualified voters equal in number to 10 percent of those who voted in the preceding general election and resident in at least two-thirds of the house [ELECTION] districts of the state. If the petition is not filed within the one-year [ONE YEAR] period provided for in this section, the petition has no force or effect.
* Sec. 56. AS 15.45.160 is amended to read:

Sec. 15.45.160. Bases for determining the petition was improperly filed.
The lieutenant governor shall notify the committee that the petition was improperly filed upon determining that

(1) there is an insufficient number of qualified subscribers; or

(2) the subscribers were not resident in at least two-thirds of the house [ELECTION] districts of the state.

* Sec. 57. AS 15.45.370 is amended to read:

Sec. 15.45.370. Filing of petition. The sponsors may file the petition only within 90 days after the adjournment of the legislative session at which the act was passed and only if signed by qualified voters equal in number to 10 percent of those who voted in the preceding general election and resident in at least two-thirds of the house [ELECTION] districts of the state.

* Sec. 58. AS 15.45.390 is amended to read:

Sec. 15.45.390. Bases for determining the petition was improperly filed. The lieutenant governor shall notify the committee that the petition was improperly filed upon determining that

(1) there is an insufficient number of qualified subscribers;

(2) the subscribers were not resident in at least two-thirds of the house [ELECTION] districts of the state; or

(3) the petition was not filed within 90 days after the adjournment of the legislative session at which the act was passed.

* Sec. 59. AS 15.45.500 is amended to read:

Sec. 15.45.500. Form of application. The application must [SHALL] include

(1) the name and office of the person to be recalled;

(2) the grounds for recall described in particular in not more than 200 words;

(3) a statement that the sponsors are qualified voters who signed the application with the statement of grounds for recall attached;

(4) the designation of a recall committee of three sponsors who shall represent all sponsors and subscribers in matters relating to the recall;
(5) the signatures of at least 100 qualified voters who subscribe to the
application as sponsors for purposes of circulation; and

(6) the signatures and addresses of qualified voters equal in number to
10 percent of those who voted in the preceding general election in the state or in the
senate or house [ELECTORAL] district of the official sought to be recalled.

* Sec. 60. AS 15.45.530 is amended to read:

Sec. 15.45.530. Notice of the number of voters. The director, upon request,
shall notify the recall committee of the official number of persons who voted in the
preceding general election in the state or in the senate or house [ELECTION] district
of the official to be recalled.

* Sec. 61. AS 15.45.560 is amended to read:

Sec. 15.45.560. Preparation of petition. Upon certifying the application, the
director shall prescribe the form of, and prepare, a petition containing (1) the name and
office of the person to be recalled, (2) the statement of the grounds for recall included
in the application, (3) the statement of warning required in AS 15.45.570, (4) sufficient
space for signatures and addresses, and (5) other specifications prescribed by the
director to assure proper handling and control. Petitions, for purposes of circulation,
shall be prepared by the director in a number reasonably calculated to allow full
circulation throughout the state or throughout the senate or house [ELECTION] district
of the official sought to be recalled. The director shall number each petition and shall
keep a record of the petitions delivered to each sponsor.

* Sec. 62. AS 15.45.580 is amended to read:

Sec. 15.45.580. Circulation by sponsor. The petitions may be circulated only
by a sponsor and only in person throughout the state or senate or house [ELECTION]
district represented by the official sought to be recalled.

* Sec. 63. AS 15.45.610 is amended to read:

Sec. 15.45.610. Filing of petition. A petition may not be filed within less
than 180 days of the termination of the term of office of a state public official subject
to recall. The sponsor may file the petition only if signed by qualified voters equal
in number to 25 percent of those who voted in the preceding general election in the
state or in the senate or house [ELECTION] district of the official sought to be
recalled.

* Sec. 64. AS 15.45.680 is amended to read:

Sec. 15.45.680. Display of bases for and against recall. The director shall provide each election board in the state or in the senate or house [ELECTION] district of the person subject to recall with 10 copies of the statement of the grounds for recall included in the application and 10 copies of the statement of not more than 200 words made by the official subject to recall in justification of the official's conduct in office. The person subject to recall may provide the director with the statement within 10 days after the date the director gave notification that the petition was properly filed. The election board shall post three copies of the statements for and against recall in three conspicuous places in the polling place.

* Sec. 65. AS 15.58.020 is amended to read:

Sec. 15.58.020. Contents of pamphlet. Each election pamphlet must contain:

1. photographs and campaign statements submitted by eligible candidates for elective office in the region;
2. information and recommendations filed under AS 15.58.050 on judicial officers subject to a retention election in the region;
3. a map of the house [ELECTION] district or districts of the region;
4. sample ballots for house [ELECTION] districts of the region;
5. an absentee ballot application;
6. for each ballot proposition submitted to the voters by initiative or referendum petition or by the legislature,
   (A) the full text of the proposition specifying constitutional or statutory provisions proposed to be affected;
   (B) the ballot title and the summary of the proposition prepared by the director or by the lieutenant governor;
   (C) a neutral summary of the proposition prepared by the Legislative Affairs Agency;
   (D) statements submitted that [WHICH] advocate voter approval or rejection of the proposition not to exceed 500 words;
7. for each bond question, a statement of the scope of each project as
it appears in the bond authorization;

(8) a maximum of two pages of material submitted by each political party;

(9) additional information on voting procedures that the lieutenant governor considers necessary;

(10) for the question whether a constitutional convention shall be called,

   (A) a full statement of the question placed on the ballot;

   (B) statements not to exceed 500 words that advocate voter approval or rejection of the question;

(11) under AS 37.13.170, the Alaska permanent fund annual income statement and balance sheet for the two fiscal years preceding the publication of the election pamphlet.

* Sec. 66. AS 15.60.010(28) is amended to read:

   (28) "senate district" means a senate district established under art. VI [THE TERRITORY INCLUDED IN THE ELECTION DISTRICTS AS DESIGNATED IN ART. XIV, SEC. 2,] of the state constitution [, AS MAY BE MODIFIED UNDER ART. VI OF THE STATE CONSTITUTION];

* Sec. 67. AS 15.60.010 is amended by adding a new paragraph to read:

   (37) "house district" means a house district established under art. VI of the state constitution.

* Sec. 68. AS 16.05.340(a)(24) is amended to read:

   (24) Nonresident anadromous king salmon tag - valid for the period inscribed on the tag

   (A) for a one-day tag .......................... $ 10

   (B) for a three-day tag .......................... 20

   (C) for a seven-day tag .......................... 30

   (D) for a 14-day tag ............................. 50

   (E) for an annual tag ........................... 100.

A nonresident may not engage in sport fishing for anadromous king salmon without having a valid anadromous king salmon tag in the person's actual possession, unless
that person is under the age of 16. Members of the military service on active duty
who are permanently stationed in the state, and their dependents, who do not qualify
as residents under AS 16.05.415 [AS 16.05.940], may obtain an annual nonresident
military anadromous king salmon tag for $20.

* Sec. 69. AS 16.05.340(d) is amended to read:

(d) Members of the military service on active duty who are permanently
stationed in the state, and their dependents, who do not qualify as residents under
AS 16.05.415 [AS 16.05.940], may obtain special nonresident military small game and
sport fishing licenses at the rates for resident hunting and sport fishing licenses, but
may not take a big game animal without previously purchasing a regular nonresident
hunting license and a numbered, nontransferable appropriate tag, issued at one-half of
the nonresident rate, under (a)(15) of this section.

* Sec. 70. AS 16.05.341 is amended to read:

Sec. 16.05.341. Free license for disabled veterans. A person may receive a
resident hunting and sport fishing license under AS 16.05.340(a)(5) without charge if
the person

(1) has been discharged from military service under honorable
conditions, is eligible for a loan under AS 18.56.101, and is certified by the United
States Department of Veterans Affairs [VETERANS' ADMINISTRATION] as
having incurred a 50 percent or greater disability during military service; or

(2) served in the Alaska Territorial Guard, is eligible for a loan under
AS 18.56.101, and incurred a 50 percent or greater disability while serving in the
Alaska Territorial Guard.

* Sec. 71. AS 16.05.925(a) is amended to read:

(a) Except as provided in AS 16.05.430, 16.05.665, 16.05.722, 16.05.723,
16.05.783, 16.05.831, [AND] 16.05.860, and 16.05.905, a person who violates
AS 16.05.920 or 16.05.921, or a regulation adopted under this chapter or AS 16.20,
is guilty of a class A misdemeanor.

* Sec. 72. AS 17.20.130 is amended to read:

Sec. 17.20.130. Exemptions. AS 17.20.110 does not apply to a drug

(1) intended solely for investigational use by experts qualified by
scientific training and experience to investigate the safety in drugs if [PROVIDED] the

drug is plainly labeled "for investigational use only"; or

(2) regulated under 42 U.S.C. 262 [LICENSED UNDER THE

VIRUS, SERUM, AND TOXIN ACT OF JULY 1, 1902 (U.S.C. 1934 ED. TITLE 42,

CHAP. 4)].

* Sec. 73. AS 18.50.070 is amended to read:

Sec. 18.50.070. Registration districts. The state registrar shall establish

registration districts throughout the state. The state registrar may consolidate or

subdivide a district to facilitate registration. Registration districts shall take into

account the boundary lines of local governmental units, house [ELECTION] districts,

judicial districts, and other local boundary lines in general use, where feasible.

* Sec. 74. AS 18.56.098(i) is amended to read:

(i) If the money used to purchase a mortgage loan made to a veteran under this

section comes from an issue of bonds of the corporation guaranteed by the state, each

bond must be issued as part of an issue substantially all of the proceeds of which are

used to provide residences for qualifying veterans. In this subsection, a qualifying

veteran is a person who is a "qualified veteran" as the term is defined or may

subsequently be defined under 26 U.S.C. 143 [26 U.S.C. 103A (MORTGAGE

SUBSIDY BOND TAX ACT OF 1980), AS AMENDED].

* Sec. 75. AS 18.66.990(3) is amended to read:

(3) "domestic violence" and "crime involving domestic violence" mean

one or more of the following offenses or an offense under a law or ordinance of

another jurisdiction having elements similar to these offenses, or an attempt to commit

the offense, by a household member against another household member:

(A) a crime against the person under AS 11.41;

(B) burglary under AS 11.46.300 - 11.46.310;

(C) criminal trespass under AS 11.46.320 - 11.46.330;

(D) arson or criminally negligent burning under AS 11.46.400 -

11.46.430;

(E) criminal mischief under AS 11.46.480 - 11.46.486;

(F) terroristic threatening under AS 11.56.810;
(G) violating a domestic violence order under AS 11.56.740; or

(H) harassment under AS 11.61.120(a)(2) - (4);

* Sec. 76. AS 21.09.150(b) is amended to read:

(b) The director shall, after a hearing, suspend or revoke an insurer's certificate of authority if the director finds that the insurer

   (1) is in unsound condition, or in a condition, or using methods or practices in the conduct of its business, that render its further transaction of insurance in this state injurious or hazardous to its policyholders or to the public;

   (2) has refused to be examined or to produce its accounts, records, and files for examination, or that any of its officers have refused to give information with respect to its affairs, when required by the director;

   (3) has failed to pay a final judgment rendered against it in this state within 30 days after the judgment became final; a judgment appealed from is not final until determined by the appellate court;

   (4) with a frequency that indicates its general business practice in this state, has without just cause refused to pay proper claims arising under its policies, whether the claim is in favor of an insured or is in favor of a third person, or without just cause delays adjustment of claims, or compels the insured or claimant to accept less than the amount due them or to employ attorneys or to bring suit against the insurer or an insured to secure full payment or settlement of claims;

   (5) is affiliated with and under the same general management or interlocking directorate or ownership as another insurer that transacts direct insurance in this state without having a certificate of authority, except as permitted for surplus line insurance under AS 21.34 [AS 21.33];

   (6) has failed, after written request by the director, to remove or discharge an officer or director who has been convicted of a felony involving fraud, dishonesty, or moral turpitude.

* Sec. 77. AS 21.39.060 is amended to read:

Sec. 21.39.060. Rating organizations. (a) A corporation, an unincorporated association, a partnership, or a person, whether located inside or outside this state, may make application to the director for license as a rating organization for the kinds of
insurance, or subdivision or class of risk or a part or combination thereof as are specified in its application and shall file with the application (1) a copy of its constitution, its articles of agreement or association, or its certificate of incorporation, and of its bylaws and regulations governing the conduct of its business; (2) a list of its members and subscribers; (3) the name and address of a resident of this state upon whom notices or orders of the director or process affecting the rating organization may be served; and (4) a statement of its qualifications as a rating organization. If the director finds that the applicant is competent, trustworthy, and otherwise qualified to act as a rating organization and that its constitution, articles of agreement or association or certificate of incorporation, and its bylaws and regulations governing the conduct of its business conform to the requirements of law, the director shall issue a license specifying the kinds of insurance, or subdivisions or classes or risks or parts or combinations of them for which the applicant is authorized to act as a rating organization. Each application shall be granted or denied in whole or in part by the director within 60 days after the date of its filing. Licenses issued under this section shall remain in effect for three years unless suspended or revoked by the director. The fee for the license is set under AS 21.06.250. Licenses issued under this section may be suspended or revoked by the director, after hearing upon notice, if the rating organization ceases to meet the requirements of this subsection and (b) of this section.

(b) Each rating organization shall notify the director promptly of every change in

1. its constitution, its articles of agreement or association, or its certificate of incorporation, and its bylaws and regulations governing the conduct of its business;
2. its list of members and subscribers; and
3. the name and address of the resident of this state designated by it upon whom notices or orders of the director or process affecting the rating organization may be served.

(c) Subject to regulations that have been approved by the director as reasonable, each rating organization shall permit an insurer that is not a member to be a subscriber to its rating services for the kind of insurance, subdivision, or class of risk
or a part or combination of them [THEREOF] for which it is authorized to act as a
rating organization. Notice of proposed changes in the regulations shall be given to
subscribers. Each rating organization shall furnish its rating service without
discrimination to its members and subscribers. The reasonableness of a regulation in
its application to subscribers, or the refusal of a rating organization to admit an insurer
as a subscriber, shall, at the request of a subscriber or an insurer, be reviewed by the
director at a hearing held upon at least 10 days' [DAYS] written notice to the rating
organization and to the subscriber or insurer. If the director finds that the regulation
is unreasonable in its application to subscribers, the director shall order that the
regulation shall not be applicable to subscribers. If the rating organization fails to
grant or reject an insurer's application for subscribership within 30 days after it was
made, the insurer may request a review by the director as if the application had been
rejected. If the director finds that the insurer has been refused admittance to the rating
organization as a subscriber without justification, the director shall order the rating
organization to admit the insurer as a subscriber. If the director finds that the action
of the rating organization was justified, the director shall make an order affirming the
[ITS] action.

(d) [(c)] A rating organization may not adopt a regulation that would prohibit
or regulate the payment of dividends, savings, or unabsorbed premium deposits
allowed or returned by insurers to their policyholders, members, or subscribers.

(e) [(d)] Cooperation among rating organizations or among rating organizations
and insurers in rate making or other matters within the scope of this chapter is
authorized. The filings resulting from the cooperation are subject to the provisions of
this chapter that are applicable to filings generally. The director may review the
cooperative activities and practices, and if, after a hearing, the director finds that the
activity or practice is unfair or unreasonable or inconsistent with this chapter, the
director may issue a written order specifying in what respects the activity or practice
is unfair or unreasonable or otherwise inconsistent with this chapter, and requiring the
discontinuance of the activity or practice.

(f) [(e)] A rating organization may provide for the examination of policies,
daily reports, binders, renewal certificates, endorsements, or other evidences of
insurance, or the cancellation of them [THEREOF], and may make reasonable rules
governing their submission. The rules must contain a provision that in the event an
insurer does not within 60 days furnish satisfactory evidence to the rating organization
of the correction of an error or omission previously called to its attention by the rating
organization, it shall be the duty of the rating organization to notify the director. All
information submitted for examination shall be confidential.

(g) [(f)] A rating organization may subscribe for or purchase actuarial,
technical, or other service. The services shall be available to all members and
subscribers without discrimination.

* Sec. 78. AS 22.05.010(d) is amended to read:

(d) The supreme court may in its discretion review a final decision of the court
of appeals on application of a party under AS 22.07.030. The supreme court may in
its discretion review a final decision of the superior court on an appeal of a civil case
commenced in the district court. In this subsection "final decision" means a decision
or order, other than a dismissal by consent of all parties, that closes a matter in the
court of appeals or the superior court, as applicable.

* Sec. 79. AS 23.15.280 is amended to read:

Sec. 23.15.280. Appointment of advisors. The division of vocational
rehabilitation, the State Employment Service, the Department of Health and Social
Services, and other state agencies that the committee names shall each designate a staff
member who shall meet with the committee and act in an advisory capacity. The
federal Veterans Employment Service and the United States Department of Veterans
Affairs [VETERANS ADMINISTRATION] shall each be invited to designate a
member of their respective staffs to serve in this capacity with the committee.
Agencies of the state shall provide the assistance to the committee that the committee
requests to aid it in carrying out the purposes of AS 23.15.220 - 23.15.320.

* Sec. 80. AS 26.05.295(b) is amended to read:

(b) Except as provided in this subsection, educational programs and monetary
benefits available to persons under (a) of this section are based on and equivalent to
those of the United States Department of Veterans Affairs [FEDERAL VETERANS
ADMINISTRATION] education program. Educational assistance may only be
provided for a program or class in which the person is a student in good standing.

* Sec. 81. AS 29.45.030(i)(1) is amended to read:

(1) "disabled veteran" means a disabled person

(A) separated from the military service of the United States under a condition that is not dishonorable who is a resident of the state, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as 50 percent or more by the branch of service in which that person served or by the United States Department of Veterans Affairs [VETERANS' ADMINISTRATION]; or

(B) who served in the Alaska Territorial Guard, who is a resident of the state, whose disability was incurred or aggravated in the line of duty while serving in the Alaska Territorial Guard, and whose disability has been rated as 50 percent or more;

* Sec. 82. AS 29.47.470 is amended to read:

Sec. 29.47.470. Taxes or fees on transportation by certain air carriers prohibited. Notwithstanding other provisions of law, a municipality may not levy or collect a tax or fee on the air transportation of individuals or goods by a federally certificated air carrier other than a tax or fee authorized under 49 U.S.C. 40116(e) or 40117 [49 U.S.C. App 1513(b) or (e)]. This section applies to home rule and general law municipalities.

* Sec. 83. AS 32.05.435 is amended to read:

Sec. 32.05.435. Disclosure of partnership purposes. An application for registration under this chapter must be accompanied by a separate statement of the codes taken from the identification codes established under AS 10.06.870 that most closely describe the activities in which the partnership [CORPORATION] intends to engage.

* Sec. 84. AS 37.06.010(c) is amended to read:

(c) A minimum of $25,000 shall be allocated to each municipality's individual grant account each fiscal year under (b) of this section. The department shall reduce allocations under (b) of this section on a pro rata basis, based upon the population of the municipalities, if necessary to fund the minimum amount for each municipality.
If appropriations are not sufficient to fully fund the minimum amount for each municipality, the amount appropriated shall be allocated equally among the municipalities' individual grant accounts.

* Sec. 85. AS 38.05.180(j)(6)(B) is amended to read:
  
  (B) keep the data described in (A) of this paragraph confidential under AS 38.05.035(a)(9) at the request of the lessee or lessees making application for the royalty modification; the confidential data may be disclosed by the commissioner to legislators and to the legislative auditor and as directed by the chair or vice-chair of the Legislative Budget and Audit Committee to the director of the division of legislative finance, the permanent employees of their respective divisions who are responsible for evaluating a royalty modification, and to agents or contractors of the legislative auditor or the legislative finance director who are engaged under contract to evaluate the royalty modification, if they sign an appropriate confidentiality agreement;

* Sec. 86. AS 39.27.030 is amended to read:

  Sec. 39.27.030. Cost-of-living survey. Subject to an appropriation for this purpose, the director shall conduct a survey, at least every five years, to review the pay differentials established in AS 39.27.020. The survey may address factors, as determined by the director, that are also relevant in review of state salary schedules, entitlement for beneficiaries of state programs, and payments for state service providers. The survey must reflect the costs of living in various election districts of the state, and Seattle, Washington, by using the cost of living in Anchorage as a base. In this section, "election district" has the meaning given in AS 39.27.020(b).

* Sec. 87. AS 39.35.125(b) is amended to read:

  (b) Service as an elected official before January 1, 1981, with an employer may be included retroactively as credited service with the system if the elected official or former elected official makes retroactive contributions equal to what the official would have made if the elected official or former elected official had been included in the system when the oath of office as an elected official was taken, plus accrued interest from July 1, 1984. The rate used to calculate the retroactive
contributions may not be less than the rate in effect on January 1, 1961. An elected official or former elected official may not receive credited service under this subsection for any period in which the elected official or former elected official was receiving a retirement benefit from the system. An elected official or former elected official receiving a retirement benefit from the system on January 1, 1981, is not eligible to claim credited service under this subsection unless the elected official or former elected official is reemployed as an active member. Service as an elected official with an employer constitutes employment as an active member as long as a waiver of coverage under (a) of this section is not in effect.

* Sec. 88. AS 41.10.100(b) is amended to read:

(b) The board shall also

(1) receive and review reports concerning the use of soil resources of the state;

(2) hold public hearings and meetings to determine whether land in the state is being used in a manner consistent with sound soil and water conservation practices;

(3) make recommendations for specific action necessary to provide for the effective and orderly development of agricultural, forest, and grazing land in the state;

(4) review an appeal by an applicant or lessee from a decision of the director of the division of land and water management concerning a sale or lease of state agricultural or grazing land and submit its recommendations to the commissioner or hearing officer;

(5) act in an advisory capacity to the soil and water conservation districts in the state;

(6) act in an advisory capacity to the commissioner and director of the division of agriculture in the review of farm conservation plans for all state agricultural land sales in the state [ALASKA DISTRICT].

* Sec. 89. AS 42.05.381(e) is amended to read:

(e) The commission shall adopt regulations for electric cooperatives and for local exchange telephone utilities setting a range for adjustment of rates by a simplified
rate filing procedure. A cooperative or telephone utility may apply for permission to adjust its rates over a period of time under the simplified rate filing procedure regulations. The commission shall grant the application if the cooperative or telephone utility satisfies the requirements of the regulations. The commission may review implementation of the simplified rate filing procedure at reasonable intervals and may revoke permission to use the procedure or require modification of the rates to correct an error. [THE COMMISSION SHALL ADOPT THE REGULATIONS CONCERNING ADJUSTMENT OF RATES BY LOCAL EXCHANGE TELEPHONE UTILITIES ON OR BEFORE OCTOBER 1, 1991.]

* Sec. 90. AS 42.05.531 is amended to read:

Sec. 42.05.531. Distribution of surplus and profits. The surplus and profits of a public utility [PUBLIC UTILITIES] shall be distributed in accordance with the bylaws or ordinances controlling the utility.

* Sec. 91. AS 42.40.430 is amended to read:

Sec. 42.40.430. Acquisition of government property. The corporation, as an instrumentality of the state, may acquire in its own name from the United States under [50 U.S.C. APP. 1622 - 1622C (SURPLUS PROPERTY ACT OF 1944),] 40 U.S.C. 471 et seq. (Federal Property and Administrative Services Act of 1949) [,] or other law, property under the control of a federal department or agency that is useful for the corporation’s purposes. The corporation may acquire from the Department of Administration property of the state made available under AS 44.68.110 - 44.68.140.

* Sec. 92. AS 43.23.065(b) is amended to read:

(b) An exemption is not available under this section for permanent fund dividends taken to satisfy

(1) child support obligations required by court order or decision of the child support enforcement agency under AS 25.27.140 - 25.27.220;

(2) court ordered restitution under AS 12.55.045 - 12.55.051, 12.55.100, or AS 47.12.120(b)(4);

(3) claims on defaulted education [SCHOLARSHIP] loans under AS 43.23.067;

(4) court ordered fines;
(5) writs of execution under AS 09.35 of a judgment that is entered
   (A) against a minor in a civil action to recover damages and
   court costs;
   (B) under AS 34.50.020 against the parent, parents, or legal
   guardian of an unemancipated minor;
(6) a debt owed by an eligible individual to an agency of the state,
   unless the debt is contested and an appeal is pending, or the time limit for filing an
   appeal has not expired;
(7) a debt owed to a person for a program for the rehabilitation of
   perpetrators of domestic violence required under AS 12.55.101, AS 18.66.100(c)(15),
   AS 25.20.061(3), or AS 33.16.150(f)(2).

* Sec. 93. AS 44.28.020(c) is amended to read:
   (c) The department shall establish an automated inmate information system to
   allow persons to place surcharge telephone calls to obtain information concerning
   inmates and where they are incarcerated, bail and bond information, and information
   concerning visiting hours at institutions. A system established under this subsection
   [(1)] shall be designed so that
   (1) all the costs of the system are, at a minimum, met by the revenues
   received from calls to the system; [.] and
   (2) [SHALL BE DESIGNED SO THAT] the revenues received satisfy
   or defray the costs of establishing and maintaining an automated victim notification
   system [IF SUCH A SYSTEM IS] established under AS 12.61.050.

* Sec. 94. AS 44.31.020 is amended to read:
   Sec. 44.31.020. Duties of department. The Department of Labor and
   Workforce Development shall
   (1) enforce the laws, and adopt regulations under them concerning
   employer-employee relationships, including the safety, hours of work, wages, and
   conditions of workers, including children;
   (2) accumulate, analyze, and report labor statistics;
   (3) operate systems of workers' compensation and unemployment
   insurance;
(4) gather data reflecting the cost of living in the various election
districts of the state upon request of the director of personnel under AS 39.27.030; in
this paragraph, "election district" has the meaning given in AS 39.27.020(b);
(5) operate the federally funded employment and training programs
under 29 U.S.C. 1501 - 1792b (Job Training Partnership Act); and
(6) administer the state's program of adult basic education.

* Sec. 95. AS 44.33.020 is amended to read:

**Sec. 44.33.020. Duties of department.** The Department of Community and
Economic Development shall
(1) advise and assist local governments;
(2) advise the governor and other commissioners on the delivery of
government services to rural areas, including services relating to public safety, justice,
economic development, natural resource management, education, and public health;
(3) make recommendations to the governor and other commissioners
about policy changes that would affect rural governments and rural affairs;
(4) serve as staff for the Local Boundary Commission;
(5) conduct studies and carry out experimental and pilot projects for the
purpose of developing solutions to community and regional problems;
(6) promote cooperative solutions to problems affecting more than one
community or region, including joint service agreements, regional compacts, and other
forms of cooperation;
(7) serve as a clearinghouse for information useful in solution of
community and regional problems, and channel to the appropriate authority requests
for information and services;
(8) advise and assist community and regional governments on matters
of finance, including but not limited to bond marketing and procurement of federal
funds;
(9) prepare suggested guidelines relating to the content of notice of
bond sale advertisements, prospectuses, and other bonding matters issued by local
governments;
(10) administer state funds appropriated for the benefit of unorganized
regions within the state, allowing for maximum participation by local advisory councils and similar bodies;

(11) as assigned through a delegation by the governor, administer and implement the state's role in the federal community development quota program established under 16 U.S.C. 1855(i) or a successor federal program; the department may adopt regulations under a delegation from the governor to implement duties under this paragraph;

(12) carry out those administrative functions in the unorganized borough that the legislature may prescribe;

(13) study existing and proposed laws and state activities that affect community and regional affairs and submit to the governor recommended changes in those laws and activities;

(14) coordinate activities of the state that affect community and regional affairs;

(15) assist in the development of new communities and serve as the agent of the state for purposes of participation in federal programs relating to new communities;

(16) supervise planning, management, and other activities required for local eligibility for financial aid under those federal and state programs that provide assistance to community and regional governments;

(17) advise and assist municipalities on procedures of assessment, valuation, and taxation, and notify municipalities of major errors in those procedures;

(18) apply for, receive, and use funds from federal and other sources, public or private, for use in carrying out the powers and duties of the department;

(19) request and utilize the resources of other agencies of state government in carrying out the purposes of this chapter to the extent such utilization is more efficient than maintaining departmental staff, reimbursing the other agencies when appropriate;

(20) administer state and, as appropriate, federal programs for revenue sharing, grants, and other forms of financial assistance to community and regional governments;
(21) administer the state programs relating to commerce or community development, enforce the laws relating to these programs, and adopt regulations under these laws;

(22) register corporations;

(23) collect corporation franchise taxes;

(24) enforce state laws regulating public utilities and other public service enterprises, banking and securities, insurance, and other businesses and enterprises touched with a public interest;

(25) make veterans' loans;

(26) furnish the budgeting, clerical, and administrative services for regulatory agencies and professional and occupational licensing boards not otherwise provided for;

(27) conduct studies, enter into contracts and agreements, and make surveys relating to the economic development of the state and, when appropriate, assemble, analyze, and disseminate the findings obtained;

(28) provide factual information and technical assistance for potential industrial and commercial investors;

(29) receive gifts, grants, and other aid that facilitate the powers and duties of the department from agencies and instrumentalities of the United States or other public or private sources;

(30) establish and activate programs to achieve balanced economic development in the state and advise the governor on economic development policy matters;

(31) formulate a continuing program for basic economic development and for the necessary promotion, planning and research that will advance the economic development of the state;

(32) cooperate with private, governmental, and other public institutions and agencies in the execution of economic development programs;

(33) review the programs and annual reports of other departments and agencies as they are related to economic development and prepare an annual report on the economic growth of the state;
(34) administer the economic development programs of the state;
(35) perform all other duties and powers necessary or proper in relation to economic development and planning for the state;
(36) request tourism-related businesses in the state to provide data regarding occupancy levels, traffic flow and gross receipts and to participate in visitor surveys conducted by the department; data collected under this paragraph that discloses the particulars of an individual business is not a matter of public record and shall be kept confidential; however, this restriction does not prevent the department from using the data to formulate tourism economic impact information including expenditure patterns, tax receipts and fees, employment and income attributable to tourism, and other information considered relevant to the planning, evaluation, and policy direction of tourism in the state;
(37) provide administrative and budgetary services to the Real Estate Commission [REAL ESTATE COMMISSION] under AS 08.88 as requested by the commission;
(38) sell at cost, to the extent possible, publications and promotional materials developed by the department;
(39) as delegated by the governor, administer under 16 U.S.C. 1856 the internal waters foreign processing permit procedures and collect related fees;
(40) administer state laws relating to the issuance of business licenses;
(41) comply with AS 15.07.055 to serve as a voter registration agency to the extent required by state and federal law, including 42 U.S.C. 1973gg (National Voter Registration Act of 1993);
(42) foster the growth of international trade within the state and administer Alaska foreign offices;
(43) carry out other functions and duties, consistent with law, necessary or appropriate to accomplish the purpose of this chapter.

* Sec. 96. AS 44.62.430(b) is amended to read:

(b) A subpoena issued under (a) of this section extends to all parts of the state and shall be served in accordance with the rules of civil procedure. A witness is not obliged to attend at a place out of the house [ELECTION] district in which the witness
resides unless the distance is less than 100 miles from the place of residence, except
that the agency, upon affidavit of a party showing that the testimony of the witness is
material and necessary, may endorse on the subpoena an order requiring the attendance
of the witness.

* Sec. 97. AS 46.03.313(d) is amended to read:
   (d) The department shall hold public hearings in each house [ELECTION]
district in which a hazardous waste management facility site is proposed to be located.
The department shall give reasonable public notice of the time, date, and place of each
public hearing at least 30 days before the hearing. The public shall be afforded an
opportunity at each hearing to submit written and oral testimony concerning a potential
site.

* Sec. 98. AS 46.08.040(a) is amended to read:
   (a) In addition to money in the response account of the fund that is transferred
to the commissioner of community and economic development to make grants under
AS 29.60.510 and to pay for impact assessments under AS 29.60.560, the
commissioner of environmental conservation may use money
   (1) from the response account in the fund
      (A) when authorized by AS 46.08.045, to investigate and
      evaluate the release or threatened release of oil or a hazardous substance, and
      contain, clean up, and take other necessary action, such as monitoring and
      assessing, to address a release or threatened release of oil or a hazardous
      substance that poses an imminent and substantial threat to the public health or
      welfare, or to the environment;
      (B) to provide matching funds in the event of a release of oil
      or a hazardous substance for which use of the response account is authorized
      by AS 46.08.045 for participation
         (i) in federal oil discharge cleanup activities; and
         (ii) under 42 U.S.C. 9601 - 9657 (Comprehensive
              Environmental Response, Compensation, and Liability Act of 1980);
      and
      (C) to recover the costs to the state, a municipality, a village,
or a school district of a containment and cleanup resulting from the release or
the threatened release of oil or a hazardous substance for which money was
expended from the response account;

(2) from the prevention account in the fund to

(A) investigate and evaluate the release or threatened release of
oil or a hazardous substance, except a release described in AS 46.08.045(a),
and contain, clean up, and take other necessary action, such as monitoring and
assessing, to address a release or threatened release of oil or a hazardous
substance, except a release described in AS 46.08.045(a);

(B) pay all costs incurred

(i) to establish and maintain the oil and hazardous
substance response office;

(ii) under agreements entered into under AS 46.04.090
or AS 46.09.040;

(iii) to review oil discharge prevention and contingency
plans submitted under AS 46.04.030;

(iv) to conduct training, response exercises, inspections,
and tests, in order to verify equipment inventories and ability to prevent
and respond to oil and hazardous substance release emergencies, and to
undertake other activities intended to verify or establish the
preparedness of the state, a municipality, or a party required by
AS 46.04.030 to have an approved contingency plan to act in
accordance with that plan; and

(v) to verify or establish proof of financial responsibility
required by AS 46.04.040;

(C) pay, when presented with appropriate documentation by the
Department of Military and Veterans' Affairs, the expenses incurred by the
Department of Military and Veterans' Affairs for Alaska State Emergency
Response Commission activities, including staff support, when the activities
and staff support relate to oil or hazardous substances, and for the costs of
being prepared for responding to a request by the department for support in
response and restoration, but not including the costs of maintaining the
response corps and the emergency response depots under AS 26.23.045;

(D) pay all costs incurred to acquire, repair, or improve an asset
having an anticipated life of more than one year and that is acquired, repaired,
or improved as a preparedness measure by which the state may respond to,
recover from, reduce, or eliminate the effects of a release or threatened release
of oil or a hazardous substance;

(E) pay the costs, if approved by the commissioner, that were
incurred by local emergency planning committees to carry out the duties
assigned them by AS 26.23.073(g) [AS 46.13.080];

(F) provide matching funds in the event of the release of oil or
a hazardous substance, except a release of oil for the containment and cleanup
of which use of the response account is authorized by AS 46.08.045, for
participation

(i) in federal oil discharge cleanup activities; and

(ii) under 42 U.S.C. 9601-9657 (Comprehensive
    Environmental Response, Compensation, and Liability Act of 1980);

(G) pay or reimburse the storage tank assistance fund
established in AS 46.03.410 for expenditures from that fund authorized by
AS 46.03.410(b);

(H) transfer to the Department of Community and Economic
Development for payment by the commissioner of community and economic
development of

(i) municipal impact grants when authorized under
    AS 29.60.510(b)(2);

(ii) assessments of the social and economic effects of the
release of oil or hazardous substances as required by AS 29.60.560
when, in the judgment of the commissioner, the release of oil or a
hazardous substance is not one that is described in AS 46.08.045; and

(iii) grants to repair, improve, or replace fuel storage
facilities under the bulk fuel system emergency repair and upgrade
recover the costs to the state, a municipality, a village, or a
school district of a containment and cleanup resulting from the release or
threatened release of oil or a hazardous substance for which money was
expended from the prevention account;

(J) prepare, review, and revise
  (i) the state’s master oil and hazardous substance
discharge prevention and contingency plan required by AS 46.04.200;
  and
  (ii) a regional master oil and hazardous substance
discharge prevention and contingency plan required by AS 46.04.210;
  and
(K) restore the environment by addressing the effects of an oil
or hazardous substance release.

* Sec. 99. AS 46.08.150 is amended to read:

Sec. 46.08.150. Contracts. The department may enter into agreements with
agencies of the state and federal government, political subdivisions, the University of
Alaska, or private persons or entities to conduct research into oil and hazardous
substances spill technology []; THE DEPARTMENT SHALL INCLUDE IN THE
RESEARCH TOPICS FOR WHICH IT CONDUCTS OR CONTRACTS FOR
RESEARCH, THE RESEARCH TOPICS RECOMMENDED TO IT BY THE
HAZARDOUS SUBSTANCE SPILL TECHNOLOGY REVIEW COUNCIL UNDER
AS 46.13.120].

* Sec. 100. AS 47.12.400(a) is amended to read:

(a) The department may use youth courts to hear, determine, and dispose of
cases involving a minor whose alleged act that brings the minor within the jurisdiction
of AS 47.12.010 - 47.12.260 constitutes a violation of a state law that is a
misdemeanor or a violation of [THAT] constitutes a violation of a municipal ordinance
that prescribes a penalty not exceeding the penalties for a class A misdemeanor under
state law.

* Sec. 101. The uncodified law of the State of Alaska enacted in sec. 54(b), ch. 132, SLA
1998, is amended to read:

(b) The amendments made by secs. 3 - 9, 16, 21 - 26, 30 - 33, 47, 51, and 52 of this Act are repealed July 1, 2001. If a law is amended by secs. 3 - 9, 16, 21 - 26, 30 - 33, 47, 51, or 52 of this Act by adding a new section or subsection, that new section or subsection is repealed July 1, 2001. If a law is amended by secs. 3 - 9, 16, 21 - 26, 30 - 33, 47, 51, or 52 of this Act by adding new language to a section or subsection that existed before the effective date of this section, that section or subsection is repealed and reenacted on July 1, 2001, to read as it existed on the day before the amendment to the law under secs. 3 - 9, 16, 21 - 26, 30 - 33, 47, 51, or 52 of this Act took effect except that, if the same section or subsection is repealed and reenacted under sec. 148(c), ch. 87, SLA 1997, as amended by sec. 53 of this Act, that section or subsection is repealed and reenacted on July 1, 2001, to read as it existed on the day before the amendment to the law under ch. 87, SLA 1997, took effect.

When implementing this subsection and sec. 148(c), ch. 87, SLA 1997, as amended by sec. 53 of this Act, the revisor of statutes may not retain any amendments made to the affected statutes that took effect or take effect from July 1, 1997, through June 30, 2001.

* Sec. 102. AS 14.03.290(5); AS 14.43.120(p); AS 15.60.010(5); AS 39.50.200(b)(51); AS 44.66.010(a)(19); AS 46.13.100, 46.13.110, 46.13.120, 46.13.130, and 46.13.900 are repealed.

* Sec. 103. The uncodified law of the State of Alaska is amended by adding a new section to read:

NO DELAYED REPEAL OF 1998 AMENDMENT TO AS 25.27.165(b).

Notwithstanding sec. 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA 1998, and notwithstanding sec. 54(b), ch. 132, SLA 1998, the amendment to AS 25.27.165(b) made by sec. 28, ch. 132, SLA 1998, is not repealed under sec. 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA 1998 and is not affected by sec. 54(b), ch. 132, SLA 1998. However, this bill section does not affect other amendments made to AS 25.27.165(b) by sec. 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA 1998, or other law.

* Sec. 104. The uncodified law of the State of Alaska is amended by adding a new section to read:
REVISOR'S INSTRUCTION. Consistent with sec. 25 of this Act, the revisor of statutes shall change the statutes and the lieutenant governor shall change the regulations so that all references to the state Board of Education become references to the Board of Education and Early Development.

* Sec. 105. The uncodified law of the State of Alaska is amended by adding a new section to read:

REVISOR'S INSTRUCTION CONCERNING DATES ON STATUTORY FORMS.

The revisor of statutes is instructed to change "19__" or "1___" wherever they appear in statute as part of a form to "2____."

* Sec. 106. This Act takes effect immediately under AS 01.10.070(c).