

CS FOR SENATE BILL NO. 310(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/22/96

Referred: Rules

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL

A BILL

FOR AN ACT ENTITLED

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

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

4 * **Section 1.** AS 04.11.510(a) is amended to read:

5 (a) Unless a legal action relating to the license, applicant, or premises to be
6 licensed is pending, the board shall decide whether to grant or deny an application
7 within 90 days of receipt of the application at the main office of the board. However,
8 the decision may not be made before the time [30 DAYS] allowed for protest under
9 AS 04.11.480 has [HAVE] elapsed, unless waived by the municipality.

10 * **Sec. 2.** AS 08.01.088 is amended to read:

11 Sec. 08.01.088. CONVICTION AS GROUNDS FOR DISCIPLINARY
12 ACTION. Notwithstanding any other provision of this title, the conviction under
13 AS 47.24.010 [OR 47.24.110] of a person licensed, certified, or regulated by the
14 department or a board under this title may be considered by the department or board

as grounds for disciplinary proceedings or sanctions.

* **Sec. 3.** AS 11.41.410(a) is amended to read:

(a) An offender commits the crime of sexual assault in the first degree if

(1) the offender engages in sexual penetration with another person without consent of that person;

(2) the offender attempts to engage in sexual penetration with another person without consent of that person and causes serious physical injury to that person;

(3) the offender engages in sexual penetration with another person

(A) who the offender knows is mentally incapable; and

(B) who is entrusted to the offender's care

(i) by authority of law; or

(ii) in a facility or program that is required by law to be licensed by **the Department of Administration under AS 47.33 or by the Department of Health and Social Services;** or

(4) the offender engages in sexual penetration with a person who the offender knows is unaware that a sexual act is being committed and

(A) the offender is a health care worker; and

(B) the offense takes place during the course of professional treatment of the victim.

* **Sec. 4.** AS 11.41.420(a) is amended to read:

(a) An offender commits the crime of sexual assault in the second degree if

(1) the offender engages in sexual contact with another person without consent of that person;

(2) the offender engages in sexual contact with a person

(A) who the offender knows is mentally incapable; and

(B) who is entrusted to the offender's care

(i) by authority of law; or

(ii) in a facility or program that is required by law to be licensed by **the Department of Administration under AS 47.33 or by the Department of Health and Social Services;**

(3) the offender engages in sexual penetration with a person who the

1 offender knows is

2 (A) mentally incapable;

3 (B) incapacitated; or

4 (C) unaware that a sexual act is being committed; or

5 (4) the offender engages in sexual contact with a person who the
6 offender knows is unaware that a sexual act is being committed and

7 (A) the offender is a health care worker; and

8 (B) the offense takes place during the course of professional
9 treatment of the victim.

10 * **Sec. 5.** AS 11.46.484(c) is amended to read:

11 (c) A person convicted under (a)(2) of this section is guilty of a class C felony
12 if, within the preceding seven years, the person was convicted under

13 (1) the provisions of (a)(2) of this section;

14 (2) former AS 28.35.010;

15 (3) the provisions of AS 11.46.482(a)(4) **or (5)**;

16 (4) an offense involving the theft of a propelled vehicle under
17 AS 11.46.120 - 11.46.140; or

18 (5) a law or ordinance of this or another jurisdiction with elements
19 substantially similar to those of the offenses described in (1) - (4) of this subsection.

20 * **Sec. 6.** AS 11.46.486(a) is amended to read:

21 (a) A person commits the crime of criminal mischief in the fourth degree if,
22 having no right to do so or any reasonable ground to believe the person has such a
23 right,

24 (1) with reckless disregard for the risk of harm to or loss of the
25 property or with intent to cause substantial inconvenience to another, the person
26 tampers with property of another;

27 (2) with intent to damage property of another, the person damages
28 property of another in an amount less than \$50; or

29 (3) the person rides in a propelled vehicle knowing it has been stolen
30 or that it is being used in violation of AS 11.46.482(a)(4) **or (5)** or 11.46.484(a)(2).

31 * **Sec. 7.** AS 12.25.030(b) is amended to read:

(b) In addition to the authority granted under (a) of this section, a peace officer without a warrant may arrest a person when the peace officer has reasonable cause for believing that the person

(1) has committed a crime under, or violated conditions imposed as part of the person's release before trial on misdemeanor charges brought under

(A) [AS 04.16.050 OR AN ORDINANCE WITH SIMILAR ELEMENTS;

(B)] AS 11.41.270 or AS 11.56.740; or

(B) [(C)] AS 11.41, AS 11.46.330, or AS 11.61.120, or has violated an ordinance with elements substantially similar to the elements of a crime under AS 11.41, AS 11.46.330, or AS 11.61.120, when the victim is a spouse or former spouse of the person who committed the crime; a parent, grandparent, child, or grandchild of the person who committed the crime; a member of the social unit comprised of those living together in the same dwelling as the person who committed the crime; or another person who is not a spouse or former spouse of the person who committed the crime but who previously lived in a spousal relationship with the person who committed the crime or is in or has been in a dating, courtship, or engagement relationship with the person who committed the crime; or

(2) has violated AS 04.16.050 or an ordinance with similar elements; however, unless there is lawful reason for further detention, a person who is under the age of 18 and who has been arrested for violating AS 04.16.050 or an ordinance with similar elements shall be cited for the offense and released to the person's parent, guardian, or legal custodian.

* **Sec. 8.** AS 12.55.125(g) is amended to read:

(g) If a defendant is sentenced under (c), (d)(1), (d)(2), (e)(1), (e)(2), **(e)(4)**, or (i) of this section, except to the extent permitted under AS 12.55.155 - 12.55.175,

(1) imprisonment may not be suspended under AS 12.55.080;

(2) imposition of sentence may not be suspended under AS 12.55.085;

(3) terms of imprisonment may not be otherwise reduced.

* **Sec. 9.** AS 12.55.155(a) is amended to read:

1 (a) If a defendant is convicted of an offense and is subject to sentencing under
2 AS 12.55.125(c), (d)(1), (d)(2), (e)(1), (e)(2), (e)(4), or (i) and

3 (1) the presumptive term is four years or less, the court may decrease
4 the presumptive term by an amount as great as the presumptive term for factors in
5 mitigation or may increase the presumptive term up to the maximum term of
6 imprisonment for factors in aggravation;

7 (2) the presumptive term of imprisonment is more than four years, the
8 court may decrease the presumptive term by an amount as great as 50 percent of the
9 presumptive term for factors in mitigation or may increase the presumptive term up
10 to the maximum term of imprisonment for factors in aggravation.

11 * **Sec. 10.** AS 12.55.165(a) is amended to read:

12 (a) If the defendant is subject to sentencing under AS 12.55.125(c), (d)(1),
13 (d)(2), (e)(1), (e)(2), (e)(4) [(d), (e)], or (i) and the court finds by clear and
14 convincing evidence that manifest injustice would result from failure to consider
15 relevant aggravating or mitigating factors not specifically included in AS 12.55.155 or
16 from imposition of the presumptive term, whether or not adjusted for aggravating or
17 mitigating factors, the court shall enter findings and conclusions and cause a record of
18 the proceedings to be transmitted to a three-judge panel for sentencing under
19 AS 12.55.175.

20 * **Sec. 11.** AS 12.75.100 is amended to read:

21 Sec. 12.75.100. REMEDY OF PERSON IN CUSTODY BY VIRTUE OF
22 CIVIL PROCESS. If it appears on the return of the writ that the prisoner is in custody
23 by virtue of an order or civil process of a court legally constituted, or issued by an
24 officer in the course of judicial proceedings before the officer, authorized by law, the
25 prisoner shall be discharged or granted any other appropriate remedy in any of the
26 following cases:

27 (1) when the jurisdiction of the court or officer has been exceeded,
28 either as to matter, place, sum, or person;

29 (2) when, though the original imprisonment was lawful, yet by some
30 act, omission, or event that has taken place afterwards, the party has become entitled
31 to a discharge or other remedy;

1 (3) when the order or process is defective in some matter of [OR]
2 substance required by law, rendering the process void;

3 (4) when the order or process, though in proper form, has been issued
4 in a case not allowed by law;

5 (5) when the person having the custody of the prisoner under the order
6 or process is not the person empowered by law to detain the prisoner; or

7 (6) when the order or process is not authorized by a judgment of a
8 court or by a provision of law.

9 * **Sec. 12.** AS 13.26.332 is amended to read:

10 Sec. 13.26.332. STATUTORY FORM POWER OF ATTORNEY. A person
11 who wishes to designate another as attorney-in-fact or agent by a power of attorney
12 may execute a statutory power of attorney set out in substantially the following form:

13 GENERAL POWER OF ATTORNEY

14 THE POWERS GRANTED FROM THE PRINCIPAL TO
15 THE AGENT OR AGENTS IN THE FOLLOWING
16 DOCUMENT ARE VERY BROAD. THEY MAY INCLUDE
17 THE POWER TO DISPOSE, SELL, CONVEY, AND
18 ENCUMBER YOUR REAL AND PERSONAL PROPERTY,
19 AND THE POWER TO MAKE YOUR HEALTH CARE
20 DECISIONS. ACCORDINGLY, THE FOLLOWING
21 DOCUMENT SHOULD ONLY BE USED AFTER CAREFUL
22 CONSIDERATION. IF YOU HAVE ANY QUESTIONS
23 ABOUT THIS DOCUMENT, YOU SHOULD SEEK
24 COMPETENT ADVICE.

25 YOU MAY REVOKE THIS POWER OF ATTORNEY AT
26 ANY TIME.

27 Pursuant to AS 13.26.338 - 13.26.353, I, (Name of principal),
28 of (Address of principal), do hereby appoint (Name
29 and address of agent or agents), my attorney(s)-in-fact to act
30 as I have checked below in my name, place, and stead in any
31 way which I myself could do, if I were personally present, with

1 respect to the following matters, as each of them is defined in
2 AS 13.26.344, to the full extent that I am permitted by law to
3 act through an agent:

4 THE AGENT OR AGENTS YOU HAVE APPOINTED
5 WILL HAVE ALL THE POWERS LISTED BELOW UNLESS
6 YOU

7 DRAW A LINE THROUGH A CATEGORY;
8 AND
9 INITIAL THE BOX OPPOSITE THAT
10 CATEGORY

- | | | |
|----|--|-----|
| 11 | (A) real estate transactions | () |
| 12 | (B) transactions involving tangible personal property, chattels, | |
| 13 | and goods | () |
| 14 | (C) bonds, shares, and commodities transactions | () |
| 15 | (D) banking transactions | () |
| 16 | (E) business operating transactions | () |
| 17 | (F) insurance transactions | () |
| 18 | (G) estate transactions | () |
| 19 | (H) gift transactions | () |
| 20 | (I) claims and litigation | () |
| 21 | (J) personal relationships and affairs | () |
| 22 | (K) benefits from government programs and | |
| 23 | military service | () |
| 24 | (L) health care services | () |
| 25 | (M) records, reports, and statements | () |
| 26 | (N) delegation | () |
| 27 | (O) all other matters, including those specified as follows: () | |

28 _____
29 _____
30 _____

31 IF YOU HAVE APPOINTED MORE THAN ONE AGENT,

CHECK ONE OF THE FOLLOWING:

() Each agent may exercise the powers conferred separately, without the consent of any other agent.

() All agents shall exercise the powers conferred jointly, with the consent of all other agents.

TO INDICATE WHEN THIS DOCUMENT SHALL BECOME EFFECTIVE, CHECK ONE OF THE FOLLOWING:

() This document shall become effective upon the date of my signature.

() This document shall become effective upon the date of my disability and shall not otherwise be affected by my disability.

IF YOU HAVE INDICATED THAT THIS DOCUMENT SHALL BECOME EFFECTIVE ON THE DATE OF YOUR SIGNATURE, CHECK ONE OF THE FOLLOWING:

() This document shall not be affected by my subsequent disability.

() This document shall be revoked by my subsequent disability.

IF YOU HAVE INDICATED THAT THIS DOCUMENT SHALL BECOME EFFECTIVE UPON THE DATE OF YOUR SIGNATURE AND WANT TO LIMIT THE TERM OF THIS DOCUMENT, COMPLETE THE FOLLOWING:

This document shall only continue in effect for _____ () years from the date of my signature.

NOTICE OF REVOCATION OF THE POWERS GRANTED IN THIS DOCUMENT

You may revoke one or more of the powers granted in this document. Unless otherwise provided in this document, you may revoke a specific power granted in this power of attorney by completing a special power of attorney that includes the specific power in this document that you want to revoke. Unless

otherwise provided in this document, you may revoke all the powers granted in this power of attorney by completing a subsequent power of attorney.

NOTICE TO THIRD PARTIES

A third party who relies on the reasonable representations of an attorney-in-fact as to a matter relating to a power granted by a properly executed statutory power of attorney does not incur any liability to the principal or to the principal's heirs, assigns, or estate as a result of permitting the attorney-in-fact to exercise the authority granted by the power of attorney. A third party who fails to honor a properly executed statutory form power of attorney may be liable to the principal, the attorney-in-fact, the principal's heirs, assigns, or estate for a civil penalty, plus damages, costs, and fees associated with the failure to comply with the statutory form power of attorney. If the power of attorney is one which becomes effective upon the disability of the principal, the disability of the principal is established by an affidavit, as required by law.

IN WITNESS WHEREOF, I have hereunto signed my name this ____ day of _____, ____.

Signature of Principal

Acknowledged [SUBSCRIBED AND SWORN TO OR AFFIRMED] before me at _____
on _____.

Signature of Officer or Notary

* **Sec. 13.** AS 15.13.110(f) is amended to read:

(f) During the year in which the election is scheduled, each of the following shall file the campaign disclosure reports in the manner and at the times required by this section:

(1) a person who, under the regulations adopted by the commission to

1 implement AS 15.13.100, indicates an intention to become a candidate for elective
2 state executive or legislative office;

3 (2) a person who has filed a nominating petition under AS 15.25.140 -
4 15.25.200 to become a candidate at the **primary** [GENERAL] election for elective
5 state executive or legislative office;

6 (3) a person who campaigns as a write-in candidate for elective state
7 executive or legislative office at the general election; and

8 (4) a group that receives contributions or makes expenditures on behalf
9 of or in opposition to a person described in (1) - (3) of this subsection.

10 * **Sec. 14.** AS 16.05.110 is amended to read:

11 Sec. 16.05.110. COMPOSITION OF FUND. The fish and game fund shall be
12 made up of the following money and other money the legislature appropriates, which
13 shall be deposited and retained in the fund until expended:

14 (1) money received from the sale of state sport fishing, hunting, and
15 trapping licenses, **tags, and** special permits, [AND] waterfowl conservation tags
16 purchased by hunters, **and anadromous salmon tags purchased by fishermen;**

17 (2) proceeds received from the sale of furs, skins, and specimens taken
18 by predator hunters and other employees;

19 (3) money received in settlement of a claim or loss caused by damage
20 to the fish and game resources of the state;

21 (4) money received from federal, state, or other governmental unit, or
22 from a private donor for fish and game purposes;

23 (5) interest earned upon money in the fund;

24 (6) money from any other source.

25 * **Sec. 15.** AS 16.05.130(a) is amended to read:

26 (a) Except as provided in (c) of this section, money accruing to the state from
27 sport fishing, hunting, and trapping licenses, **tags,** or permit fees may not be diverted
28 to a purpose other than the protection, propagation, investigation, and restoration of
29 sport fish and game resources and the expenses of administering the sport fish and
30 game divisions of the department.

31 * **Sec. 16.** AS 16.05.340(a) is amended to read:

1 (a) Fees for licenses, permits, and tags are as follows:

2 (1) Resident sport fishing license \$ 15

3 However, the fee is 25 cents for a resident who is blind.

4 (2) Resident hunting license 25

5 (3) Resident hunting and trapping license 40

6 (4) Resident trapping license 15

7 (5) Resident hunting and sport fishing license 40

8 (6) Resident hunting, trapping, and sport fishing license 55;

9 (A) however, the fee is \$5 for an applicant who

10 (i) is receiving or has received assistance during the

11 preceding six months under any state or federal welfare program to aid

12 the indigent, or

13 (ii) has an annual family gross income of less than

14 \$8,200 for the year preceding application;

15 (B) a person paying \$5 for a resident hunting, trapping, and

16 sport fishing license must provide proof of eligibility under this paragraph

17 when requested by the departments.

18 (7) Nonresident special sport fishing license - valid for the period

19 inscribed on the license

20 (A) For 14-day license \$ 30

21 (B) For three-day license 15

22 (C) For one-day license 10

23 (8) Nonresident sport fishing license 50

24 (9) Nonresident hunting license 85

25 (10) Nonresident hunting and sport fishing license 135

26 A nonresident may not take a big game animal without previously purchasing a

27 numbered, nontransferable, appropriate tag, issued under (15) of this subsection. The

28 tag must be affixed to the animal immediately upon capture and must remain affixed

29 until the animal is prepared for storage, consumed, or exported. A tag issued but not

30 used for an animal may be used to satisfy the tagging requirement for an animal of any

31 other species for which the tag fee is of equal or less value.

1	(11) Nonresident hunting and trapping license	\$250
2	(12) Fur dealers	
3	(A) Resident fur dealer biennial license	150
4	(B) Nonresident fur dealer biennial license	500
5	(13) Taxidermists	
6	(A) Resident taxidermy biennial license	200
7	(B) Nonresident taxidermy biennial license	500
8	(14) Aquatic farming triennial license	400
9	(15) Nonresident big game tags	
10	(A) Bear, black, each	225
11	(B) Bear, brown or grizzly, each	500
12	(C) Bison, each	450
13	(D) Caribou, each	325
14	(E) Deer, each	150
15	(F) Elk, each	300
16	(G) Goat, each	300
17	(H) Moose, each	400
18	(I) Sheep, each	425
19	(J) Wolf, each	175
20	(K) Wolverine, each	175
21	(L) Musk oxen, each	1,100
22	(16) Resident big game tags	
23	(A) Bear, brown or grizzly, each	\$ 25
24	The Board of Game may, by regulation effective for not more than one year,	
25	eliminate the resident brown or grizzly bear tag and fee for all or a portion of	
26	a game management unit.	
27	(B) Musk oxen, each	500
28	However, the Board of Game may by regulation reduce or eliminate the fee for	
29	a resident big game tag for musk oxen for an open season.	
30	(17) Waterfowl conservation tag	\$ 5
31	(A) A person may not engage in waterfowl hunting without	

1 having the current year's waterfowl tag in the person's actual possession,
2 unless that person

3 (i) qualifies for a \$5 license fee under (6) of this
4 subsection;

5 (ii) is a resident under the age of 16;

6 (iii) is 60 years of age or older and is a resident;

7 (iv) is a disabled veteran eligible for a free license under
8 AS 16.05.341.

9 (B) The Board of Game shall by regulation exempt the
10 requirement of a waterfowl conservation tag for waterfowl hunting in areas of
11 the state not likely to benefit from programs described in AS 16.05.130(b)(2) -
12 (4).

13 (18) Game farming

14 (A) Game mammal or game reptile farming biennial license

15 \$250

16 (B) Game bird farming biennial license 50

17 (19) Nonresident small game hunting license 20

18 (20) Nonresident alien hunting license 300

19 A nonresident alien may not take a big game animal without previously purchasing a
20 numbered, nontransferable, appropriate tag, issued under (21) of this subsection. The
21 tag must be affixed to the animal immediately upon capture and must remain affixed
22 until the animal is prepared for storage, consumed, or exported. A tag issued but not
23 used for an animal may be used to satisfy the tagging requirement for an animal of any
24 other species for which the tag fee is of equal or less value.

25 (21) Nonresident alien big game tags

26 (A) Bear, black, each \$ 300

27 (B) Bear, brown or grizzly, each 650

28 (C) Bison, each 650

29 (D) Caribou, each 425

30 (E) Deer, each 200

31 (F) Elk, each 400

1	(G) Goat, each	400
2	(H) Moose, each	500
3	(I) Musk oxen, each	1,500
4	(J) Sheep, each	550
5	(K) Wolf, each	250
6	(L) Wolverine, each	250
7	(22) Chitina personal use salmon dip net fishing permit	10
8	(23) Resident anadromous king salmon tag	10

A resident may not engage in sport fishing for anadromous king salmon without having the current year's anadromous king salmon tag in the resident's actual possession, unless that person

(A) qualifies for a 25 cent license fee under (1) of this subsection;

(B) is under the age of 16;

(C) is 60 years of age or older and has been a resident of the state for at least one year;

(D) is a disabled veteran eligible for a free license under AS 16.05.341; or

(E) qualifies for a \$5 license fee under (6) of this subsection.

(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 15

(C) for a 14-day or annual tag 35.

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. However, 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 16.05.940, may obtain an annual nonresident military anadromous king salmon tag for \$20.

* Sec. 17. AS 16.05.350 is amended to read:

1 Sec. 16.05.350. EXPIRATION OF LICENSES, PERMITS, AND TAGS. (a)
2 Licenses, permits, and tags required under AS 16.05.330 - 16.05.430, except biennial
3 licenses, triennial licenses, the nonresident special sport fishing license, the resident
4 trapping license, the one, three, or 14-day nonresident anadromous king salmon tag,
5 [AND] the waterfowl conservation tag, and permits having a different specified
6 expiration date, expire at the close of December 31 following issuance.

7 (b) Biennial licenses expire after December 31 of the year following the year
8 of issuance.

9 (c) Triennial licenses expire after December 31 of the second year
10 following the year of issuance.

11 (d) The resident trapping license expires at the close of September 30 of the
12 year following the year in which the license is issued.

13 (e) The waterfowl conservation tag expires at the close of January 31 of the
14 year following the year of issue of the tag.

15 * **Sec. 18.** AS 16.05.380 is amended to read:

16 Sec. 16.05.380. COMMISSIONER MAY APPOINT AGENTS. The
17 commissioner may appoint state employees or other persons to take applications, issue
18 licenses, permits, and tags, and collect fees. The commissioner is not liable for
19 defalcation or failure to account for the fees collected by any person so appointed, but
20 the commissioner shall require a bond in an adequate sum, conditioned upon faithfully
21 accounting for all money collected. However, the commissioner may waive the bond
22 requirements of an instrumentality of the United States or its agents and employees [.]
23 when the instrumentality or its agents or employees sell licenses, permits, or tags
24 primarily to persons in the armed forces. Each person, upon appointment by the
25 commissioner, may administer oaths on applications for licenses, permits, and tags.

26 * **Sec. 19.** AS 16.05.390(a) is amended to read:

27 (a) Except as provided in (e) of this section, an agent appointed by the
28 commissioner under AS 16.05.380 to sell licenses, permits, and tags is entitled to

29 (1) retain five percent of the fee that is charged for a license, permit,
30 or tag or 25 cents for each license, permit, or tag sold, whichever is greater; and

31 (2) compensation of \$50 per year or \$1 for each license, permit, or tag

1 sold during the year, whichever is greater.

2 * **Sec. 20.** AS 16.05.390(b) is amended to read:

3 (b) Each agent appointed to sell licenses, permits, or tags under AS 16.05.380
4 shall, as directed by the commissioner, transmit the proceeds from the sales of licenses,
5 permits, and tags, except the amount authorized to be retained under (a)(1) of this
6 section, together with a report of the sales, to the commissioner for deposit in the fish
7 and game fund or the general fund.

8 * **Sec. 21.** AS 16.05.390(c) is amended to read:

9 (c) On March 31, June 30, September 30, and December 31 of each year, the
10 commissioner shall calculate the compensation earned by an agent under (a)(2) of this
11 section, minus the penalties assessed under (g) of this section. If the compensation due
12 exceeds \$50, the commissioner shall pay the compensation not later than 30 days after
13 the date for which the compensation was calculated. If the compensation due is \$50
14 or less, the commissioner shall pay the compensation not later than January 30 of the
15 year following the year in which the compensation was earned. The commissioner
16 shall pay compensation only for sales of licenses, permits, or tags for which the
17 commissioner has received the report and proceeds required to be transmitted under
18 (b) of this section.

19 * **Sec. 22.** AS 16.05.390(e) is amended to read:

20 (e) The provisions of (a) of this section do not apply to a state employee
21 appointed by the commissioner under AS 16.05.380 to sell licenses, permits, and tags.

22 * **Sec. 23.** AS 16.05.390(f) is amended to read:

23 (f) Proceeds and reports under (b) of this section shall be transmitted to the
24 commissioner by the last day of the month following the month in which the licenses,
25 permits, and tags are sold, unless an alternative reporting schedule has been
26 established by contract.

27 * **Sec. 24.** AS 16.05.405(c) is amended to read:

28 (c) Notwithstanding AS 16.05.420(c), a resident holding a valid noncommercial
29 fishing license may take fish on behalf of a person who is blind, a person with
30 physical disabilities, or a person who is 65 years of age or older if the resident
31 possesses on the resident's person

1 (1) a document signed by the person on whose behalf the fish is taken,
2 stating that the resident possesses the person's sport fishing license, subsistence fishing
3 permit, personal use fishing permit, or permanent identification card in order to take
4 fish on behalf of that person; [AND]

5 (2) the person's

6 (A) resident sport fishing license issued under AS 16.05.403 or
7 permanent identification card issued under AS 16.05.400(b);

8 (B) resident subsistence fishing permit issued under
9 AS 16.05.403; or

10 (C) resident personal use fishing permit issued under
11 AS 16.05.403; and

12 (3) all other documents issued to the person that are required by
13 law as a condition of taking the fish being pursued.

14 * Sec. 25. AS 16.05.405(e) is amended to read:

15 (e) A resident who takes, or attempts to take, fish or game on behalf of a
16 person under this section may also simultaneously engage in fishing or hunting for the
17 resident's use; however, the resident may not take or attempt to take fish or game by
18 proxy for more than one person at a time. For the purposes of this subsection, a
19 resident is engaged in taking, or attempting to take, fish or game by proxy while the
20 resident has possession of

21 (1) another person's

22 (A) license, permit, or identification card and all other
23 documents issued to the person that are required by law as a condition of
24 taking the fish or game being pursued; and

25 (B) [AND THE OTHER PERSON'S] signed document under
26 (b)(1) or (c)(1) of this section; or

27 (2) fish or game taken on behalf of another person.

28 * Sec. 26. AS 16.05.405(f) is amended to read:

29 (f) A resident who takes fish or game on behalf of another person under this
30 section shall

31 (1) complete reports relating to the taking of the fish or game as

required by the commissioner of fish and game under AS 16.05.370;

(2) deliver all parts of fish and game removed from the field to the person on whose behalf the fish or game was taken within a reasonable time after the fish or game is taken; **and**

(3) **until the fish or game is delivered to the person on whose behalf the fish or game was taken,** retain the **person's**

(A) license or permit **and all other documents issued to the person that are required by law as a condition of taking the fish or game;**

and

(B) [THE] signed document required under (b)(1) or (c)(1) of this section [OF THE PERSON ON WHOSE BEHALF THE FISH OR GAME IS TAKEN UNTIL THE FISH OR GAME IS DELIVERED TO THAT PERSON].

* **Sec. 27.** AS 16.05.420(b) is amended to read:

(b) Except as provided in **AS 16.05.407(b) and 16.05.408(b)** [AS 16.05.408(b)], a person who knowingly makes a false statement, or knowingly omits a material fact, in an application for a license, tag, or permit issued under AS 16.05.330 - 16.05.430 is guilty of unsworn falsification under AS 11.56.210.

* **Sec. 28.** AS 16.10.010 is amended to read:

Sec. 16.10.010. INTERFERENCE WITH SALMON SPAWNING STREAMS AND WATERS. (a) A person may not, **without first applying for and obtaining a permit or license from the Department of Environmental Conservation,**

(1) obstruct, divert, or pollute waters of the state, either fresh or salt, utilized by salmon in the propagation of the species, by felling trees or timber in those waters, casting, passing, throwing, or dumping tree limbs or foliage, underbrush, stumps, rubbish, earth, stones, rock, or other debris, or passing or dumping sawdust, planer shavings, or other waste or refuse of any kind in those waters;

(2) erect a dam, barricade, or obstruction to retard, conserve, impound, or divert the waters described in (1) of this **subsection** [SECTION] to prevent, retard, or interfere with the free ingress or egress of salmon into those waters in the natural spawning or propagation process;

1 (3) render the waters described in (1) of this subsection [SECTION]
2 inaccessible or uninhabitable for salmon for spawning or propagation.

3 (b) The [WITHOUT FIRST APPLYING FOR AND OBTAINING A PERMIT
4 OR LICENSE FROM THE DEPARTMENT OF ENVIRONMENTAL
5 CONSERVATION; THE] application for the permit or license referred to in (a) of
6 this section must set out the name and style of the person or concern, describe the
7 waters and location, and state in particular the plans, purpose, and intention for which
8 the application is made.

9 * **Sec. 29.** AS 18.55.230 is amended to read:

10 Sec. 18.55.230. EXEMPTION OF REAL PROPERTY OF CORPORATION
11 FROM EXECUTION OR OTHER PROCESS. In conjunction with the exercise of a
12 power authorized by AS 18.55.100 - 18.55.290, the real property of the corporation is
13 exempt from levy and sale by execution. Execution or other judicial process may not
14 issue against it and judgment against the corporation may not be a charge or lien upon
15 its real property. However, this section does not limit the right of an obligee to
16 foreclose or otherwise enforce a mortgage of the corporation [AUTHORITY] or to
17 pursue any remedy for the enforcement of a pledge or lien given by the corporation
18 under AS 18.55.100 - 18.55.290 on its rents, fees, or revenues.

19 * **Sec. 30.** AS 18.55.580(b) is amended to read:

20 (b) The corporation may, by resolution, trust, indenture, mortgage, lease, or
21 other contract confer upon an obligee holding or representing a specified amount in
22 bonds, the right, in addition to all rights that may be conferred, upon the happening
23 of an event of default as defined in the resolution or instrument, by an action or
24 proceeding in a competent court

25 (1) to have possession of a redevelopment project or part of one, title
26 to which is in the corporation, surrendered to the obligee;

27 (2) to obtain the appointment of a receiver of a redevelopment project
28 or part of a project, title to which is in the corporation, and of the rents and profits
29 from the project or part, and, if a receiver is appointed, the receiver may enter and take
30 possession of, carry out, operate, and maintain the project or a part of the project and
31 may collect and receive all fees, rents, revenue, or other charges thereafter arising from

1 the project or part, and shall keep this money in a separate account and apply it in
2 accordance with the obligations of the **corporation** [AUTHORITY] as the court
3 directs; and

4 (3) to require the corporation, the members of its board of directors,
5 officers, agents, and employees to account as if it and they were the trustees of an
6 express trust.

7 * **Sec. 31.** AS 18.56.096(a) is amended to read:

8 (a) The corporation may not make, participate in the making of, purchase, or
9 participate in the purchase of

10 (1) a first mortgage loan under this chapter for a duplex, triplex, or
11 four-plex that exceeds the limitations on first mortgage loans for similar housing
12 purchased by the Federal National Mortgage Association as to principal amount and
13 loan-to-value ratio;

14 (2) a second mortgage loan for a duplex, triplex, or four-plex the
15 amount of which, when combined with the principal balance of a first mortgage loan
16 on the property, exceeds the limitation on the amount set out in (1) of this subsection
17 or that has a loan-to-value ratio, when considered with the principal balance of the first
18 mortgage loan, that exceeds 90 percent;

19 (3) a mortgage loan to finance the purchase of new housing or for the
20 improvement or rehabilitation of existing housing, unless the construction,
21 improvement, or rehabilitation work has been performed by a contractor who is
22 registered to work as a contractor under AS 08.18; this paragraph does not apply if the
23 construction, improvement, or rehabilitation work

24 (A) has been totally or substantially performed by the borrower;

25 (B) has been performed by a borrower who acts as the
26 contractor for the construction, improvement, or rehabilitation work; or

27 (C) has been performed in an area designated by the corporation
28 as exempt from the requirements of this paragraph because of the unavailability
29 of registered contractors in that area;

30 (4) a first mortgage loan for a single-family residence that exceeds the
31 limitations on first mortgage loans for similar housing purchased by the Federal

1 National Mortgage Association as to principal amount by more than 10 percent, or has
2 a loan-to-value ratio that exceeds 95 percent, or a second mortgage loan for a single-
3 family residence, the amount of which, when combined with the principal balance of
4 a first mortgage loan on the property, exceeds the limitations on loans for similar
5 housing purchased by the Federal National Mortgage Association as to principal
6 amount by more than 10 percent, or has a loan-to-value ratio, when considered with
7 the principal balance of the first mortgage loan, that exceeds 90 percent;

8 (5) a first or second mortgage loan for rental housing unless the
9 borrower agrees not to discriminate against tenants or prospective tenants because of
10 sex, marital status, changes in marital status, pregnancy, parenthood, race, religion,
11 color, national origin, or status as a student;

12 (6) a first mortgage loan if the borrower has an outstanding first
13 mortgage housing loan under this chapter or an outstanding first mortgage loan for
14 owner-occupied housing under **former provisions of** AS 44.47; or

15 (7) a loan to a person who has a past due child support obligation
16 established by court order or by the child support enforcement division under
17 AS 25.27.160 - 25.27.220 at the time of application.

18 * **Sec. 32.** AS 21.18.110(b)(1) is amended to read:

19 (1) Except as otherwise provided in (c) of this section and (6) of this
20 subsection, the minimum standard for the valuation of all these policies and contracts
21 shall be the commissioner's **reserve** [RESERVES] valuation methods defined in (2),
22 (5) and (8) of this subsection, three and one-half percent interest, or in the case of
23 policies and contracts, other than annuity and pure endowment contracts, issued on or
24 after July 1, 1978, five and one-half percent interest for single premium life insurance
25 policies and four and one-half percent interest for all other policies, and the following
26 tables:

27 (A) for all ordinary policies of life insurance issued on the
28 standard basis, excluding disability and accidental death benefits in the policies
29 - the Commissioner's 1958 Standard Ordinary Mortality Table, for policies
30 issued before the operative date of AS 21.45.300(w), of the Standard
31 Nonforfeiture Law for Life Insurance as amended, except that for a category

1 of policies issued on female risks, all modified net premiums and present
2 values, referred to in (2) of this subsection may be calculated according to an
3 age not more than six years younger than the actual age of the insured; and for
4 policies issued on or after the operative date of AS 21.45.300(w) of the
5 Standard Nonforfeiture Law for Life Insurance as amended

6 (i) the Commissioner's 1980 Standard Ordinary
7 Mortality Table, or

8 (ii) at the election of the insurer for any one or more
9 specified plans of life insurance, the Commissioner's 1980 Standard
10 Ordinary Mortality Table with 10-year Select Mortality Factors, or

11 (iii) any ordinary mortality table, adopted after 1980 by
12 the National Association of Insurance Commissioners, that is approved
13 by regulation promulgated by the director for use in determining the
14 minimum standard of valuation for the policies;

15 (B) for all industrial life insurance policies issued on the
16 standard basis, excluding disability and accidental death benefits in the policies
17 - the 1941 Standard Industrial Mortality Table for the policies issued before the
18 operative date of AS 21.45.300(l), of the Standard Nonforfeiture Law for Life
19 Insurance as amended, and for the policies issued on or after the effective date
20 of AS 21.45.300(l) the Commissioner's 1961 Standard Industrial Mortality
21 Table or any industrial mortality table, adopted after 1980 by the National
22 Association of Insurance Commissioners that is approved by regulation
23 promulgated by the director for use in determining the minimum standard of
24 valuation for such policies;

25 (C) for individual annuity and pure endowment contracts,
26 excluding disability and accidental death benefits in the policies - the 1937
27 Standard Annuity Mortality Table, or, at the option of the insurer, the Annuity
28 Mortality Table for 1949, ultimate, or any modification of either of these tables
29 approved by the director;

30 (D) for group annuity and pure endowment contracts, excluding
31 disability and accidental death benefits in the policies - the Group Annuity

1 Mortality Table for 1951, any modification of the table approved by the
2 director, or, at the option of the insurer, any of the tables or modification of
3 tables specified for individual annuity and pure endowment contracts;

4 (E) for total and permanent disability benefits in or
5 supplementary to ordinary policies or contracts the tables of period 2
6 disablement rates and the 1930 to 1950 termination rates of the 1952 disability
7 study of the society of actuaries, with due regard to the type of benefit or any
8 table of disablement and termination rates adopted after 1980 by the National
9 Association of Insurance Commissioners that are approved by regulation
10 adopted by the director for use in determining the minimum standard of
11 valuation for the policies; the table shall, for active lives, be combined with a
12 mortality table permitted for calculating the reserves for life insurance policies;

13 (F) for accidental death benefits in or supplementary to policies
14 - the 1959 Accidental Death Benefits Table or any accidental death benefits
15 table adopted after 1980 by the National Association of Insurance
16 Commissioners that is approved by regulation adopted by the director for use
17 in determining the minimum standard of valuation for the policies combined
18 with a mortality table permitted for calculating the reserves for life insurance
19 policies;

20 (G) for group life insurance, life insurance issued on the
21 substandard basis and other special benefits - tables approved by the director.

22 * **Sec. 33.** AS 21.36.095(e) is amended to read:

23 (e) In this section, "insurer" includes

24 (1) an insurer, as defined in AS 21.90.900;

25 (2) a group health plan, as defined in 29 U.S.C. 1167(l) (Employee
26 Retirement Income Security Act of 1974);

27 (3) a health maintenance organization, as defined in AS 21.86.900;

28 (4) a hospital service corporation or medical service corporation, as
29 defined in AS 21.87.330;

30 (5) a writing carrier, as defined in AS 21.55.500; and

31 (6) an entity offering a service benefit plan, as referred to in 42 U.S.C.

1 **1396g-1** [42 U.S.C. 1396g].

2 * **Sec. 34.** AS 23.30.025(a) is amended to read:

3 (a) An insurer may not enter into or issue a policy of insurance under this
4 chapter until its policy form has been submitted to and approved by the **director of**
5 **the division of** insurance [COMMISSIONER]. The **director of the division of**
6 insurance [COMMISSIONER] may not approve the policy form of an insurance
7 company until the company files with it the certificate of the **director of the division**
8 [COMMISSIONER] of insurance showing that the company is authorized to transact
9 the business of workers' compensation insurance in the state. The filing of a policy
10 form by an insurance company with the board for approval constitutes, on the part of
11 the company, a conclusive and unqualified acceptance of the provisions of this chapter,
12 and an agreement by it to be bound by them.

13 * **Sec. 35.** AS 23.30.030(7) is amended to read:

14 (7) If the insurer fails or refuses to pay a final award or judgment
15 (except during the pendency of an appeal) made against it, or its insured, or if it fails
16 or refuses to comply with a provision of this chapter, the **director of the division of**
17 insurance [COMMISSIONER] shall revoke the approval of the policy form, and may
18 not accept further proofs of insurance from it until it has paid the award or judgment
19 or has complied with the violated provision of this chapter, and has resubmitted its
20 policy form and received the approval of the form by the **director of the division of**
21 insurance [COMMISSIONER].

22 * **Sec. 36.** AS 29.06.040(c) is amended to read:

23 (c) In addition to the regulations governing annexation by local action adopted
24 under AS 44.47.567, the Local Boundary Commission shall establish procedures for
25 annexation and detachment of territory by municipalities by local action. The
26 procedures established under this subsection **must** include a provision that

27 (1) a proposed annexation and detachment must be approved by a
28 majority of votes on the question cast by voters residing in the area proposed to be
29 annexed or detached;

30 (2) municipally owned property adjoining the municipality may be
31 annexed by ordinance without voter approval; and

1 (3) an area adjoining the municipality may be annexed by ordinance
2 without an election if all property owners and voters in the area petition the governing
3 body.

4 * **Sec. 37.** AS 33.16.230 is amended to read:

5 Sec. 33.16.230. WAIVER OF HEARING. A prisoner or parolee may waive
6 the right to a hearing provided under AS 33.16.130 [AS 33.16.120], 33.16.160, or
7 33.16.220 by submitting a written waiver to the board.

8 * **Sec. 38.** AS 33.30.028(a) is amended to read:

9 (a) Notwithstanding any other provision of law, the liability for payment of the
10 costs of medical, psychological, and psychiatric care provided or made available to a
11 prisoner committed to the custody of the commissioner is, subject to (b) of this section,
12 the responsibility of the prisoner and the

13 (1) prisoner's insurer if the prisoner is insured under existing individual
14 health insurance, group health insurance, or any prepaid medical coverage;

15 (2) Department of Health and Social Services if the prisoner is eligible
16 for assistance under AS 47.07 or AS 47.25.120 - 47.25.300 [AS 47.25.120 -
17 47.25.310];

18 (3) United States Department of Veterans Affairs if the prisoner is
19 eligible for veterans' benefits that entitle the prisoner to reimbursement for the medical
20 care or medical services;

21 (4) United States Public Health Service, the Indian Health Service, or
22 any affiliated group or agency if the prisoner is a Native American and is entitled to
23 medical care from those agencies or groups; and

24 (5) parent or guardian of the prisoner if the prisoner is under the age
25 of 18.

26 * **Sec. 39.** AS 34.35.190 is amended to read:

27 Sec. 34.35.190. DUTY OF RECORDER. Upon the presentation of the notice
28 to the recorder, the recorder shall record the notice and index it in a book or
29 computer-readable medium kept for that purpose and called "Index of Liens upon
30 Chattels." The recorder is entitled to charge and receive from the person recording the
31 notice of lien a fee provided for recording and indexing chattel mortgages.

1 * **Sec. 40.** AS 34.35.410(a) is amended to read:

2 (a) The recorder shall record the lien claim in a record book or computer-
3 readable medium kept for that purpose. The record book shall be indexed.

4 * **Sec. 41.** AS 34.35.440(c) is amended to read:

5 (c) The lien notice shall be indexed in a book or computer-readable medium
6 kept for that purpose.

7 * **Sec. 42.** AS 38.05.180(d) is amended to read:

8 (d) The commissioner may issue oil and gas leases in an area that has not been
9 included in a leasing program prepared [SUBMITTED,] in accordance with (b) of this
10 section [, TO THE LEGISLATURE] if the land to be leased

11 (1) was previously subject to a valid state or federal oil and gas lease;

12 (2) is contiguous to land already under state, federal, or private lease,
13 and the commissioner makes a written finding, after hearing, that leasing of the land
14 would result in a substantial probability of early evaluation and development of the
15 land to be leased;

16 (3) is adjacent to land owned or controlled by another party on which
17 a discovery of commercial quantities of oil or gas has been made, and the
18 commissioner finds, after hearing, that there is a reasonable probability that the land
19 to be leased contains oil or gas in communication with the oil or gas discovered on the
20 land of the other party;

21 (4) is adjacent to land included in the federal five-year Outer
22 Continental Shelf leasing program under 43 U.S.C. 1344, and the commissioner makes
23 a written finding, after hearing, that coordinated or simultaneous leasing with the
24 federal government is in the public interest; or

25 (5) is the subject of an oil and gas exploration license issued under
26 AS 38.05.131 - 38.05.134.

27 * **Sec. 43.** AS 39.25.120(c)(9)(J) is amended to read:

28 (J) Alaska [OLDER ALASKANS] Commission on Aging;

29 * **Sec. 44.** AS 39.27.012 is amended to read:

30 Sec. 39.27.012. TEMPORARY SALARY SCHEDULES. The director of the
31 division of personnel may establish salary schedules providing lesser amounts than

those in the basic salary schedule in order to meet salary limit requirements for receipt and expenditure of federal funds. Salary rates established under authority of this section do not affect the salaries of employees provided for by a collective bargaining agreement negotiated under the authority of AS 23.40.070 - 23.40.260 (Public Employment Relations Act).

* **Sec. 45.** AS 39.27.020(c) is amended to read:

(c) The director **of the division of personnel** shall establish salary differentials for positions in foreign countries. The differentials shall be adjusted annually, effective July 1, to maintain equitable relationships between salaries for positions in foreign countries and salaries for positions in Alaska.

* **Sec. 46.** AS 41.21.960(d) is amended to read:

(d) When bail has been forfeited under this section, a judgment of conviction shall be entered. **Forfeiture** [BAIL FORFEITED] under this section **of bail** and [THE FORFEITURE OF] items seized from the offender is a complete satisfaction for the offense, and the clerk of the court shall provide the offender with a receipt stating that fact if requested.

* **Sec. 47.** AS 46.04.080(a) is amended to read:

(a) The commissioner of environmental conservation or the **adjutant general of the Department of Military and Veterans' Affairs** [COMMISSIONER OF MILITARY AND VETERANS' AFFAIRS] may request the governor to determine that an actual or imminent occurrence of a catastrophic oil discharge constitutes a disaster emergency under AS 26.23. The commissioner of environmental conservation and the **adjutant general of the Department of Military and Veterans' Affairs** [COMMISSIONER OF MILITARY AND VETERANS' AFFAIRS] shall respond appropriately in the relief of the actual or imminent discharge under the relevant provisions of the applicable incident command system.

* **Sec. 48.** AS 46.09.030 is amended to read:

Sec. 46.09.030. DISASTER EMERGENCIES. The commissioner of environmental conservation or the **adjutant general of the Department of Military and Veterans' Affairs** [COMMISSIONER OF MILITARY AND VETERANS' AFFAIRS] may request the governor to determine that an actual or imminent release

1 of a hazardous substance constitutes a disaster emergency under AS 26.23. The
2 commissioner of environmental conservation and the adjutant general of the
3 Department of Military and Veterans' Affairs [COMMISSIONER OF MILITARY
4 AND VETERANS' AFFAIRS] shall respond appropriately in the relief of the actual
5 or imminent release under the relevant provisions of the applicable incident command
6 system.

7 * **Sec. 49.** AS 46.35.070(e) is amended to read:

8 (e) Each state agency having jurisdiction to approve or deny an application for
9 a permit shall have the power vested in it by law [BEFORE OCTOBER 1, 1977] to
10 make such determinations. Nothing in AS 46.35.030 - 46.35.070 lessens or reduces
11 these powers, and AS 46.35.030 - 46.35.070 modify only the procedures to be
12 followed in the carrying out of the powers.

13 * **Sec. 50.** AS 47.10.092(a) is amended to read:

14 (a) Notwithstanding AS 47.10.090 and 47.10.093, a parent or legal guardian
15 of a minor subject to a proceeding under AS 47.10.010 - 47.10.142 may disclose
16 confidential or privileged information about the minor, including information that has
17 been lawfully obtained from agency or court files, to the governor, the lieutenant
18 governor, a legislator, the ombudsman appointed under AS 24.55, the attorney general,
19 and the commissioners of health and social services, administration, or public safety,
20 or an employee of these persons, for review or use in their official capacities. A
21 person to whom disclosure is made under this section may not disclose confidential
22 or privileged information about the minor to a person not authorized to receive it.

23 * **Sec. 51.** AS 47.10.460(a) is amended to read:

24 (a) Notwithstanding AS 47.10.090 and 47.10.093, at the request of a local
25 panel, the department, the child's guardian ad litem, and the court shall furnish to the
26 local panel relevant records concerning a child and the child's family who are the
27 subjects of a local panel review. At the conclusion of a review, all copies of records
28 provided to a local panel under this section shall be returned to the staff that serves
29 the local panel or to the agency from which the original copy was obtained unless the
30 panel members need the copies to prepare the reports required under AS 47.10.440(g) -
31 (i). Copies retained for preparation of the reports shall be returned to the staff that

1 serves the local panel or to the originating agency upon completion of the reports.
2 Notwithstanding AS 44.62.310, records and reports of the local panel, testimony before
3 the local panel, and deliberations of the local panel are confidential under
4 AS 47.10.093 [AS 47.10.090].

5 * **Sec. 52.** AS 47.10.990 is amended by adding a new paragraph to read:

6 (13) "commissioner" means the commissioner of health and social
7 services.

8 * **Sec. 53.** AS 12.36.090(3); AS 19.22.030(1); AS 19.25.160(1); AS 19.27.110(2);
9 AS 19.30.241(1), 19.30.241(3), 19.30.320(2); AS 19.40.290(1); AS 23.30.265(18);
10 AS 30.13.140; and AS 46.03.900(3) are repealed.

11 * **Sec. 54.** APPLICABILITY OF SEC. 5. References to prior convictions in
12 AS 11.46.484(c), as amended by sec. 5 of this Act, refer to convictions occurring before, on,
13 or after the effective date of this Act.

14 * **Sec. 55.** RELATION TO OTHER LEGISLATION. If any provision of this Act
15 irreconcilably conflicts with a provision of another Act that (1) is passed by the Second
16 Session of the Nineteenth Alaska State Legislature and is enacted into law, and (2) takes effect
17 on or before the effective date of this Act, the provision of the other Act controls,
18 notwithstanding the effective dates.

19 * **Sec. 56.** This Act takes effect immediately under AS 01.10.070(c).