



LAWS OF ALASKA

1968

Source

HB 707

Chapter No.

143

AN ACT

Relating to revising the Alaska Statutes to reflect corrective amendments by the revisor of statutes.

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

* Section 1. AS 07.15.330(d) is amended to read:

(d) The school board shall submit the annual budget for the following school year to the assembly by April 1 for approval of the total amount. Within 30 days after receipt of the budget the assembly shall determine the total amount of money to be made available from local sources for school purposes, and shall furnish the school board with a statement of the sum to be made available. If the assembly does not, within 30 days, furnish the school board with a statement of the sum to be made available, the amount requested in the budget is automatically approved. Not later than May 31, the assembly shall appropriate the amount to be made available from local sources from money available for the purpose.

* Sec. 2. AS 08.01.010(14) is amended to read:

(14) Board of Veterinary Examiners;

* Sec. 3. AS 08.60.080 is amended to read:

Sec. 08.60.080. AUTHORIZATION TO IMPOSE CONDITIONS FOR ESTABLISHMENT, OPERATION, AND MAINTENANCE. The commissioner of public safety or the cities or organized boroughs shall examine the location or proposed location of a junk yard and make reasonable regulations concerning the establishment, operation, and maintenance of businesses under the standards set out in sec. 70 of this chapter. The regulations may require the erection, location, and size of fences or other structures surrounding the junk yard.

Regulations pertaining to junk yards are subject to the provisions of the Administrative Procedure Act (AS 44.62).

- * Sec. 4. AS 08.64.180 is amended to read:

Sec. 08.64.180. APPLICATION FOR LICENSE. A person who desires to practice medicine in the state shall apply in writing to the Department of Commerce for a license.

- * Sec. 5. AS 22.15.130 is amended to read:

Sec. 22.15.130. SEAL OF COURT. The seal of the district court is a vignette of the official flag of the state with the words "Seal of the District Court of the State of Alaska for the (number of district) Judicial District" surrounding the vignette.

- * Sec. 6. AS 22.20.022(a) is amended to read:

Sec. 22.20.022. PEREMPTORY DISQUALIFICATION OF A SUPERIOR COURT JUDGE. (a) If a party or his attorney in a superior court action, civil or criminal, files an affidavit alleging under oath that he believes that he cannot obtain a fair and impartial trial, the presiding judge shall at once, and without requiring proof, assign the action to another judge of that district, or if there is none, the chief justice of the supreme court shall assign a judge for the hearing or trial of the action. The affidavit shall contain a statement that it is made in good faith and not for the purpose of delay.

- * Sec. 7. AS 37.15.050 is amended to read:

Sec. 37.15.050. REDEMPTION. The state bond committee may determine whether the bonds are subject to redemption before their fixed maturities and may fix the premium for and all other terms of the redemption. No bond may be subject to redemption before its fixed maturity date unless the right to so redeem the bond is expressly mentioned on the face of the bond.

- * Sec. 8. AS 38.05.365(8) is amended to read:

(8) "mental health lands" means lands granted under Title II, sec. 202 of Public Law 830, 84th Congress, 2nd Session, as heretofore or hereafter amended;

- * Sec. 9. AS 43.10.160 is amended by adding a new subsection to read:

(c) In lieu of the bond or security required in (b) of this section, the taxpayer may pay the total estimated taxes and license fees in advance.

- * Sec. 10. AS 43.40.010(g) is amended to read:

(g) The proceeds of the revenue from the tax on all motor fuels, except as provided in (e) and (f) of this section, shall be deposited in a special highway fuel tax account in the state general fund. The legislature may appropriate funds from it for expenditure by the Department of Public Works directly or as matched with available

federal-aid highway money for maintenance of highways, construction of highway projects and ferries included in the program provided for in AS 19.10.150, including approaches, appurtenances and related facilities and acquisition of rights-of-way or easements, and other highway costs including surveys, administration, and related matters. All departments of the state government authorized to spend funds collected from taxes imposed by secs. 10 - 100 of this chapter shall perform, when feasible, all construction or reconstruction projects by contract after the projects have been advertised for competitive bids, except that, when feasible, arrangements shall be made with political subdivisions to carry out the construction or reconstruction projects. If it is not feasible for the work to be performed by state engineering forces, the commissioner of public works may contract on a professional basis with private engineering firms for road design, bridge design, and services in connection with surveys. If more than one private engineering firm is available for the work the contracts shall be entered into on a negotiated basis.

- * Sec. 11. AS 43.40.120(b) is amended to read:

(b) The tax levied by this section is in addition to the tax levied in sec. 10 of this chapter.

- * Sec. 12. AS 43.40.120(c) is amended to read:

(c) The tax levied by this section shall be administered and collected in the same manner as the tax levied in sec. 10 of this chapter. The receipts from the tax shall be paid into the watercraft fuel tax account in the general fund of the state.

- * Sec. 13. AS 44.59.140(9) is amended to read:

(9) borrow money and issue secured and unsecured evidence of indebtedness for a corporate purpose or to fund, refund, pay, or discharge outstanding obligations, and enter agreements and contracts concerning these obligations;

- * Sec. 14. AS 44.59.140(11) is amended to read:

(11) accept grants or loans from and contract with the federal government, the state, or its political subdivisions, and to that end comply with the provisions of federal, state, or local programs when necessary;

- * Sec. 15. AS 44.60.020 is amended to read:

Sec. 44.60.020. SMALL BUSINESS DEVELOPMENT CORPORATION OF ALASKA. The Small Business Development Corporation of Alaska is a public corporation of the state. The corporation is an instrumentality of the state within the Department of Economic Development, but has a legal existence independent of and separate from the state.

- * Sec. 16. AS 44.62.190(a)(3) is amended to read:

(3) if the agency is within a department,

mailed or delivered to the commissioner of the department.

- * Sec. 17. AS 44.62.290(b) is amended to read:

(b) Only this section and sec. 180 of this chapter apply to

(1) a regulation which prescribes the organization or procedure of an agency, or

(2) an emergency regulation adopted under sec. 250 of this chapter.

- * Sec. 18. AS 44.62.330(a)(14) is amended to read:

(14) Real Estate Commission

- * Sec. 19. AS 44.71.020(f) is amended to read:

(f) The Department of Administration shall cooperate with the departments or agencies of the United States and shall file a state plan of operation, operate in accordance with it, and take the action necessary to meet the minimum standards prescribed in accordance with the Federal Act, and make the reports in the form and containing the information which the United States or its departments or agencies may require and shall comply with the laws of the United States and the rules and regulations of its departments or agencies governing the allocation, transfer, use or accounting for property donated to the state.

- * Sec. 20. AS 45.45.010(a) is amended to read:

(a) The rate of interest in the state is six per cent a year and no more on (1) money after it is due; (2) judgments and decrees for the payment of money, except that a judgment or decree founded on a contract in writing providing for the payment of interest until paid at a specified rate exceeding six per cent a year and not exceeding eight per cent a year bears interest at the rate specified in the contract if the interest rate is set out in the judgment or decree; (3) money received to the use of another and retained beyond a reasonable time without the owner's express or implied consent; (4) money due upon the settlement of matured accounts from the day the balance is ascertained; or (5) money due or to become due where there is a contract to pay interest and no rate is specified.

- * Sec. 21. AS 45.05.746 is amended to read:

Sec. 45.05.746. PURCHASE OF CHATTEL PAPER AND NON-NEGOTIABLE INSTRUMENTS. A purchaser of chattel paper or a nonnegotiable instrument who gives new value and takes possession of it in the ordinary course of his business and without knowledge that the specific paper or instrument is subject to a security interest has priority over a security interest which is perfected under sec. 738 of this chapter (permissive filing and temporary perfection). A purchaser of chattel paper who gives new value and takes possession of it in the ordinary course of his business has priority over a security interest in chattel paper which is claimed merely as proceeds of inventory