



LAWS OF ALASKA

1971

Source

HB 111 am

Chapter No.

32

AN ACT

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 01.05.026 is amended to read:

Sec. 01.05.026. SUPPLEMENTS AS PART OF ALASKA STATUTES. The laws contained in the most recent cumulative supplement to and replacement pamphlets for the Alaska Statutes constitute prima facie a part of the Alaska Statutes, and the laws contained in the Temporary and Special Act pamphlets constitute prima facie the temporary and special law of Alaska, when prepared in accordance with this chapter and authenticated by the lieutenant governor.

- * Sec. 2. AS 01.05.031(a) is amended to read:

(a) Subject to the general policies which may be promulgated by the legislative council for the preparation and publication of the annual cumulative supplement to and replacement pamphlets for the Alaska Statutes and of the accompanying Temporary and Special Act pamphlets, the revisor of statutes shall revise for consolidation into the Alaska Statutes and the accompanying pamphlets all laws of a general and permanent nature and all laws of a temporary or special nature enacted by the legislature.

- * Sec. 3. AS 02.05.100(a) is amended to read:

(a) Upon a petition or accusation filed by any person or the commission, and after notice and opportunity for hearing, the commission by order may alter, amend, or modify a certificate, in whole or in part, if the public

convenience and necessity requires, and may suspend or revoke a certificate, in whole or in part, for any of the following reasons:

- (1) intentional misrepresentation of a material fact in obtaining the certificate;
- (2) voluntary discontinuance of operations;
- (3) intentional failure to comply with a provision of this chapter or an order, rule, or regulation issued under this chapter;
- (4) intentional failure to comply with a term, condition or limitation of the certificate.

* Sec. 4. AS 06.25.230 is amended to read:

Sec. 06.25.230. DEPOSIT OF SECURITIES WITH DEPARTMENT OF REVENUE. A trust company shall keep on deposit with the Department of Revenue interest and/or dividend bearing stocks or bonds of the United States or of the State of Alaska, or of any city of this state, or such other interest and/or dividend bearing stocks, bonds or securities approved by the Department of Commerce, in value of 20 per cent of its capital stock. The securities so deposited may not be of less value than \$5,000. The securities shall be registered in the name of the Department of Revenue, in trust for the creditors of and depositors with the trust company, subject to sale and transfer and to the disposal of the proceeds thereof, by the Department of Revenue, only on the order of a court of competent jurisdiction. The trust company, so long as it continues solvent and complies with the laws of the state, may be permitted by the Department of Commerce to collect the interest and dividends on the securities and from time to time exchange the securities for others of equal value. All securities before they may be accepted by the Department of Revenue for filing under this section shall be approved by the Department of Commerce. A trust company that is a member of the Federal Deposit Insurance Corporation or whose deposits are insured in whole or in part by an agency of the United States is exempt from the requirements of this section.

* Sec. 5. AS 07.30.010(b) is amended to read:

(b) If the debt to be incurred is to be an area-wide debt, the vote shall be areawide. If the debt to be incurred is to be limited to the area outside cities only, the vote shall be limited to the qualified voters residing in the area outside cities. If the debt to be incurred is to be limited to a service area only, the vote shall be limited to the qualified voters residing within the service area. However, if the full faith and credit of the entire borough is to be pledged for payment of the service area debt, the vote shall be areawide.

* Sec. 6. AS 08.01.010(3) is repealed.

* Sec. 7. AS 08.08.110(2) is amended to read:

(2) establish and enforce rules of professional conduct for members of the Alaska Bar which conform but

need not be limited to the standards of the American Bar Association Code of Professional Responsibility;

* Sec. 8. AS 08.20.120(6) is repealed.

* Sec. 9. AS 08.64.380(3)(B) is amended to read:

(B) habitual overuse of alcoholic beverages or depressant, hallucinogenic or stimulant drugs, as defined in AS 17.12.150(3), or addiction to the use of narcotic drugs as defined in AS 17.10.230(13);

* Sec. 10. AS 11.40.120 is amended to read:

Sec. 11.40.120. SODOMY. A person who commits sodomy, upon conviction, is punishable by imprisonment for not less than one year nor more than 10 years.

* Sec. 11. AS 14.08.050(a) is amended to read:

(a) The board of directors has exclusive management and control of all state-operated school matters associated with the state's program of education at the elementary and secondary levels subject to the state laws and the regulations promulgated by the state Board of Education.

* Sec. 12. AS 14.14.170(a) is amended to read:

(a) There is established an advisory school board in each community served by a school and operated by the state. If the state-operated school has an average daily membership of less than 251 pupils, the advisory school board consists of three members. If the average daily membership is more than 250 pupils, the advisory school board consists of five members.

* Sec. 13. AS 14.20.020(c) is amended to read:

(c) The board may establish by regulation additional requirements for the issuance of certificates.

* Sec. 14. AS 14.20.020(d) is amended to read:

(d) The board may by regulation establish various classes of certificates.

* Sec. 15. AS 14.25.162(a) is amended to read:

(a) If a teacher dies while in membership service or while receiving a disability retirement salary or after normal retirement and leaves a minor child, his surviving spouse is entitled to a survivor's allowance provided the teacher has made a supplemental contribution for at least one year before his death, but if a guardian has been appointed for a minor child, the guardian is entitled to the allowance. A minor child who has neither a surviving parent nor a guardian is entitled to the allowance. If a minor child who is at least 19 years old but less than 23 years old is out of school for more than one semester, payments of his benefits shall terminate permanently. Application for the survivor's allowance

shall be made in writing to the administrator.

- * Sec. 16. AS 14.25.220(4) is amended to read:

(4) "employer" means a public school district, the Board of Regents of the University of Alaska, or the Department of Education;

- * Sec. 17. AS 14.25.220(5) is amended to read:

(5) "membership service" means service as a teacher in a public school within the Territory or State of Alaska or both under the supervision and control of the Territorial Board of Education or the Department of Education, the school board of any public school district, or the Board of Regents of the University of Alaska, or any period during which the teacher is on an approved sabbatical leave granted in accordance with AS 14.20.310 or is receiving a disability retirement salary; "membership service" is also service as a teacher in a "non-public" school which means a school established by an agency other than a state or its subdivisions which is primarily supported by other than public funds, and the operation of whose program rests with other than publicly elected or appointed officials, and which offers grades kindergarten through 12, or any combination of them, and is state approved or accredited;

- * Sec. 18. AS 14.25.220(14) is amended to read:

(14) "minor child" means a child or children of the member, including those adopted, either under 19 years old whom the teacher, if living, is supporting or is obligated to support or, if dead, was supporting or was obligated to support at the time of his death or under 23 years old and registered at and attending on a full-time basis an accredited educational or a technical institution recognized by the state Department of Education and whom the teacher, if living, is supporting or, if dead, was supporting at the time of his death;

- * Sec. 19. AS 15.07.030 is amended to read:

Sec. 15.07.030. WHO MAY REGISTER. A person who has the qualifications of a voter as set out in 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 he resides.

- * Sec. 20. 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) - (4) is entitled to register at any time throughout the year commencing December 21, 1968, except that no registration will be made for a period of 14 days preceding the election if the application for registration is made in person or 30 days preceding the election if the application for registration is made by mail; however, registration may be made in person at either the 1968 primary or general election as provided in sec. 70(d) of this chapter.

- * Sec. 21. AS 15.07.060(5) is amended to read:

(5) a declaration that the registrant will be 18 years of age or older on or before the date of the next statewide election;

- * Sec. 22. AS 15.07.130(c) is amended to read:

(c) The lieutenant governor shall obtain from the office of vital statistics death certificates and presumptive death certificates for all residents over 18 years of age who have died or who have been presumptively declared dead. The lieutenant governor shall cancel the registration of all deceased voters.

- * Sec. 23. AS 15.07.160 is amended to read:

Sec. 15.07.160. UNLAWFUL ACTION. (a) It is unlawful for a registration official to refuse to register a person who is qualified to vote under provisions of AS 15.05.-010(1) - (4).

(b) It is unlawful for a person to register who knows he is not qualified to vote under provisions of AS 15.05.010(1) - (4).

(c) A person who violates or who aids or abets another to violate (a) or (b) of this section is guilty of a misdemeanor.

- * Sec. 24. AS 16.05.250(11) and AS 16.05.788 are repealed.

- * Sec. 25. AS 16.50.145 is amended by adding a new subsection to read:

(c) An applicant for a guide examination shall pay a fee of \$25.

- * Sec. 26. AS 18.70.110 is amended to read:

Sec. 18.70.110. SCHOOL BUILDINGS AND DORMITORIES. The governing body of each school district as set out in AS 14.12.010, and each organization or individual awarded custody of children by a court shall provide at least one external stairway as a fire escape on each school building, and on each building or dormitory which houses at least three children, is more than one story in height and contains only one stairway to the ground floor.

- * Sec. 27. AS 18.70.300 is amended to read:

Sec. 18.70.300. DEFINITION OF BUILDING. In this chapter "building" means a structure, installation, facility, or edifice erected or in the process of being erected and which is used or intended for use as a commercial, industrial, business, institutional, other public building, or residential building containing four or more dwelling units.

- * Sec. 28. AS 19.05.125 is amended to read:

Sec. 19.05.125. PURPOSE. The purpose of chs. 5 - 25

of this title is to establish a highway department capable of carrying out a highway planning, construction, and maintenance program which will provide a common defense to the United States and Alaska, a network of highways linking together cities and communities throughout the state (thereby contributing to the development of commerce and industry in the state, and aiding the extraction and utilization of its resources), and otherwise improve the economic and general welfare of the people of the state.

* Sec. 29. AS 19.05.130 is amended to read:

Sec. 19.05.130. DEFINITIONS. In chs. 5 - 40 of this title

(1) "commissioner" means the commissioner of highways;

(2) "construction" or any derivation means construction, reconstruction, alteration, improvement or major repair;

(3) "controlled-access facility" means a highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have either no right or easement or only a controlled right or easement of access, light, air, or view;

(4) "cost of change, relocation, or removal" means the entire cost incurred by the utility properly attributed to the change, relocation, or removal of a utility after deducting any increase in the value of the new facility and any salvage value derived from the old facility;

(5) "department" means the Department of Highways;

(6) "excess lands" means land acquired by the state in excess of land required for a highway, when the remaining portion of a parcel of land so acquired is left in such shape or condition as to be of little or no value to its owner, or to give rise to claims or litigation concerning severance or other damage;

(7) "federal-aid primary, federal-aid secondary, and interstate system" include any highway which is a part of the federal-aid systems as provided in the Federal-Aid Highway Act of 1956, and any laws amending or supplementing it;

(8) "highway" includes a highway (whether included in primary or secondary systems), road, street, trail, walk, bridge, tunnel, drainage structure and other similar or related structure or facility, and right-of-way thereof, and further includes a ferry system, whether operated solely inside the state or to connect with a Canadian highway, and any such related facility;

(9) "maintenance" means the preservation of

each type of highway, roadside structure and facility as nearly as possible in its original condition as constructed, or as subsequently improved, and the operation of highway facilities and services to provide satisfactory and safe highways;

(10) "municipality" means an incorporated city or political subdivision which has jurisdiction over highways in its incorporated area;

(11) (Repealed)

(12) "utility" includes publicly, privately, and cooperatively owned utilities.

* Sec. 30. AS 22.05.080 is amended to read:

Sec. 22.05.080. VACANCIES. (a) The governor shall fill a vacancy in the office of supreme court justice within 45 days after receiving nominations from the Judicial Council, by appointing one of two or more persons nominated by the Judicial Council for each vacant position.

(b) The office of a supreme court justice, including the office of chief justice, becomes vacant 90 days after the election at which he is rejected by a majority of those voting on the question, or for which he failed to file his declaration of candidacy to succeed himself. A successor to the office of justice may be appointed, and a successor to the office of chief justice may be selected by the other justices, during this 90-day period and the appointment or selection becomes effective upon the vacancy occurring. A vacancy in the office also occurs by reason of the death, retirement, resignation, forfeiture, or removal from office of a justice. If a vacancy occurs the Judicial Council shall meet within 30 days thereafter and submit to the governor the names of two or more persons nominated to fill each vacancy.

* Sec. 31. AS 22.05.150 is amended to read:

Sec. 22.05.150. ADMINISTRATIVE DIRECTOR. The chief justice of the supreme court shall, with the approval of the supreme court, appoint an administrative director to serve at the pleasure of the supreme court and to supervise the administrative operations of the judicial system.

* Sec. 32. AS 23.20.352 is repealed.

* Sec. 33. AS 23.30.195 is amended to read:

Sec. 23.30.195. SURVIVAL OF THE RIGHT TO COMPENSATION. (a) Compensation to which any claimant would be entitled under sec. 190 of this chapter excepting (20) of that section shall, notwithstanding death arising from causes other than the injury, be payable to and for the benefit of the persons following:

(1) if there be a surviving wife or dependent husband and no child of the deceased, to the wife or dependent husband;

(2) if there be a surviving wife or dependent husband and a surviving child of the deceased, one-half to the surviving wife or dependent husband the other half to the surviving child;

(3) if there be a surviving child of the deceased, but no surviving wife or dependent husband, then to the child.

* Sec. 34. AS 23.30.215(a)(3) is amended to read:

(3) If there is one or more surviving children of the deceased, but no surviving wife or dependent husband, then for the support of the child or children 35 per cent of the average weekly wages of the deceased;

* Sec. 35. AS 24.10.040 is amended to read:

Sec. 24.10.040. LEGISLATIVE FISCAL OFFICER. The fiscal officer of the Legislative Affairs Agency serves as the fiscal officer of the legislature.

* Sec. 36. AS 24.10.060 is amended to read:

Sec. 24.10.060. LEGISLATIVE EMPLOYEES. The temporary employees of the legislature are hired for the duration of each session upon the recommendation of the rules committee of each house. Employees assigned to each house are under the supervision of the chief clerk and senate secretary. Employees assigned to the duplicating, distributing, mailing, and other centralized services are under the immediate supervision of the Legislative Affairs Agency. Permanent and temporary employees of the legislature and its agencies shall be employed subject to classification and wage plans based on the merit principle and adapted to the special needs of the legislature. Permanent employees are subject to the general state laws regarding leave and retirement.

* Sec. 37. AS 24.30.050 is amended to read:

Sec. 24.30.050. PREFILING OF BILLS. Any member of the legislature whose term extends into a forthcoming session or legislature, or a member-elect may file a bill or a proposal for a bill with the Legislative Affairs Agency at any time before January 1. The agency shall place a prefiled bill, which is approved by the sponsor, in proper form and deliver it to the chief clerk of the appropriate house on the day on which the next session convenes or is organized for business. Prefiled bills shall be considered as introduced on the day of their delivery to each house.

* Sec. 38. AS 24.30.060(b) is amended to read:

(b) Bills introduced by the legislative council shall be delivered with a letter of explanation to the rules committee of either house and bear the inscription "Rules Committee by Request of the Legislative Council." Bills presented by the governor shall be delivered with a letter to the rules committee of either house and bear the inscription "Rules Committee by Request of the Governor"; bills so presented and inscribed shall be

received as bills carrying the approval of the governor as to policy and budget impact. The governor or executive director of the legislative council may submit a statement of purpose and effect with each bill and appear personally or through a representative before any committee considering legislation.

- * Sec. 39. AS 24.35.010(b) is amended to read:

(b) The lieutenant governor shall file the original enrolled copies of all acts and resolutions and all executive orders having the effect of law which were submitted by the governor to the legislature and which were not rejected by it. These documents shall be kept on file for at least two years. All laws and executive orders having the force of law in the cumulative supplements to or replacement pamphlets for the Alaska Statutes are prima facie a part of the Alaska Statutes.

- * Sec. 40. AS 24.35.010(c) is amended to read:

(c) The Legislative Affairs Agency is responsible for arranging for the production, editing, publishing and distribution of the laws of each session. The executive director shall have the slip law copies of the enrolled acts produced in sufficient quantity for one complete set to be provided each legislator pending the publication of supplements to the Alaska Statutes. The commissioner of administration is to receive sufficient copies of the slip laws for official state distribution and he may charge for other distribution on the basis of production and handling costs.

- * Sec. 41. AS 24.35.020(a) is amended to read:

(a) The Department of Administration is responsible for making official distribution of the Alaska Statutes to state agencies. Distribution shall be made on the basis of written requests and justifications submitted by the executive officer of each agency to the Legislative Affairs Agency and approved by the executive director of the legislative council. A legislator is entitled to receive one set of the statutes for his personal use, and this entitlement is restricted to the one set issued during a member's entire legislative service. The commissioner of administration may deposit one set of the statutes in each free public library within the state. The right of sale to persons and organizations remains exclusively with the publisher.

- * Sec. 42. AS 24.45.020(a) is repealed.

- * Sec. 43. AS 28.05.025 is amended to read:

Sec. 28.05.025. AUTHORITY OF THE DEPARTMENT OF COMMERCE TO ADOPT RULES AND REGULATIONS. The Department of Commerce is responsible for the operation of motor vehicle weighing stations, and the enforcement of highway weight and load limitations. The department shall adopt rules and regulations necessary for the operation of motor vehicle weighing stations, and regulations necessary to enforce weight and load limitations on state highways.

- * Sec. 44. AS 28.20.420(a) is amended to read:

(a) A nonresident may give proof of financial responsibility by filing with the department a written certificate of an insurance carrier authorized to transact business in the state in which the vehicle described in the certificate is registered, or if the nonresident does not own a vehicle, then in the state in which the nonresident resides, if the certificate otherwise conforms with this chapter; the department shall accept it upon condition that the insurance carrier complies with (b) and (c) of this section.

- * Sec. 45. AS 28.35.030 is amended to read:

Sec. 28.35.030. DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS. A person who, while under the influence of intoxicating liquor or narcotic drugs, operates or drives an automobile, motorcycle or other motor vehicle in the state upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both. In addition, his operator's license may be limited or suspended in accordance with AS 28.15.260(a).

- * Sec. 46. AS 28.35.040(d) is amended to read:

(d) A person violating (b) of this section is subject to a fine of not more than \$100, and, in addition, the court may limit or suspend his operator's license in accordance with AS 28.15.260(a).

- * Sec. 47. AS 28.35.190 is repealed.

- * Sec. 48. AS 33.15.010 is amended to read:

Sec. 33.15.010. STATE BOARD OF PAROLE. There is in the department a board of parole consisting of five members to be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. One of the members, who shall be chairman of the board, shall be a person with training or experience in the field of probation and parole, and he may be an official or employee of the department but may not be an official or employee of the division of corrections. The term of each of the other four members of the board is four years and until his successor is appointed and qualifies. Successors are appointed in the same manner as provided for the board members first appointed. A vacancy shall be filled for the unexpired term.

- * Sec. 49. AS 37.05.155(a)(3) is repealed.

- * Sec. 50. AS 38.05.045 is amended to read:

Sec. 38.05.045. GENERALLY. All lands owned in fee by the state or to which the state may become entitled, excepting tide, submerged or shore lands, and timber or grazing lands, may be sold as provided in secs. 45 - 69 of this chapter. However, this section does not prevent the disposition of lands as provided in secs. 300 - 348

of this chapter.

- * Sec. 51. AS 39.20.260(e) is amended to read:

(e) Upon his separation from state service, and unless he re-enters employment of the state within six months of his termination, the unused sick leave of an officer or employee is automatically cancelled without pay for it. If an officer or employee when terminated by the state re-enters the state service within six months after his termination he is entitled to credit for one-half of the sick leave he had accrued at the time of his termination.

- * Sec. 52. AS 43.05.150(a) is amended to read:

Sec. 43.05.150. COLLECTION AND DEPOSIT OF MONEY. The Department of Revenue shall demand, sue for, collect, receive, and safely keep all money of the state which is not by law entrusted to the care and custody of some other office. When these funds are deposited in financial institutions in the state, under AS 37.10.075, the department shall deposit them in institutions nearest the place where the funds are collected.

- * Sec. 53. AS 43.05.150(b), (c), and (d) are repealed.

- * Sec. 54. AS 43.20.010(a) is amended to read:

(a) There is levied and there shall be collected and paid for each taxable year upon the net income of every resident and nonresident individual and fiduciary that is required to make a return and pay a tax under the federal income tax law a tax equal to 16 per cent of the total income tax that would be payable for the same taxable year to the United States at the federal tax rates in effect on December 31, 1963, under the provisions of chapter 1 of subtitle A of the 1954 Internal Revenue Code, Public Law 591, 83rd Congress, 2nd Session, as amended, upon all income derived from sources within the state.

- * Sec. 55. AS 43.31.061(a) is amended to read:

(a) The department may appoint and remove examiners and appraisers if it considers necessary, these persons to have those duties and powers the department prescribes. The compensation of these examiners and appraisers shall be as the department prescribes, and they shall be reimbursed for travel expenses as provided for state employees.

- * Sec. 56. AS 43.31.101 is repealed.

- * Sec. 57. AS 43.31.161(c) is amended to read:

(c) The determination of tax or deficiency in tax by the department is final unless the executor, or other party interested, within 50 days from the date of the receipt of a copy of the determination, brings an action in the superior court against the department and other parties as are interested. It is not necessary to join as

parties to the action any heir-at-law, next of kin, distributee, legatee or devisee of the decedent. The complaint shall contain a concise statement of the facts and shall have annexed to it a copy of the return and of the findings and determination of the department and shall pray for an abatement of the tax, in the amount and to the extent, in part or in whole, and for other relief as the executor desires. Either the department, the executor or any other party may appeal to the supreme court in the manner and within the time prescribed by the Alaska Supreme Court Rules.

- * Sec. 58. AS 43.31.191(b) is amended to read:

(b) The commissioner of public safety shall proceed upon the warrant in all respects, with like effect, in the manner prescribed by law for executions issued against property upon judgments of a court of record. Alias and pluries warrants may issue from time to time as the department considers proper until the entire amount of the tax, deficiency, interest, penalties and costs have been recovered.

- * Sec. 59. AS 43.31.240 is amended to read:

Sec. 43.31.240. ACTIONS TO ENFORCE PAYMENT. Actions may be brought within the time or times specified in this chapter by the department to recover the amount of taxes, penalties and interest due under this chapter. This action shall be brought in the superior court where the estate is being or has been administered, or if no administration be had in this state, then in the appropriate court of the jurisdiction where any of the property of the estate is situated.

- * Sec. 60. AS 44.25.020(3) is amended to read:

(3) register cattle brands; and

- * Sec. 61. AS 45.50.320 is amended to read:

Sec. 45.50.320. PENALTIES FOR FRAUDULENT BRANDING OR OTHER ACTS. A person who fraudulently brands timber property with a brand which he knows or has reasonable cause to know is the registered brand of another person, or who knowingly alters, defaces, abliterates or destroys a registered brand impressed or displayed upon timber property, or who knowingly sells or disposes of, or attempts to sell or dispose of, or to convert or appropriate to his own use, without the written consent of the owner, timber property impressed with or displaying upon it a registered brand of another person, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment in jail for not more than six months, or by both.

- * Sec. 62. AS 47.25.300(3) is amended to read:

(3) "needy person" means a needy resident of the state who is not eligible for aid from another public agency or department providing similar services in the state;

- * Sec. 63. AS 47.25.780(4) is amended to read:

(4) "needy blind resident" means a needy blind person 18 years of age or over, who is residing in the state.

- * Sec. 64. AS 47.25.960(3) is amended to read:

(3) "permanently and totally disabled person" means a needy resident of the state who is not eligible for assistance from another public agency or department providing similar services in the state;

- * Sec. 65. AS 47.30.340(13) is amended to read:

(13) "resident" means a person who is residing in the state; a married woman may establish a residence apart from her husband, and an unemancipated minor takes the residence of the parent or guardian with whom he is living;

- * Sec. 66. AS 11.40.320 is amended to read:

Sec. 11.40.320. CONSTRUCTION OF SECS. 290 - 310 OF THIS CHAPTER. Nothing in secs. 290 - 310 of this chapter alters or affects the laws relating to incest, seduction, adultery, rape or other kindred offenses against the person or the public morals, or a prosecution for these offenses.

- * Sec. 67. AS 14.14.180(a)(2) is amended to read:

(2) has passed his 18th birthday;