

**SENATE BILL NO. 310**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL

Introduced: 3/14/96

Referred: State Affairs

**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

1 as grounds for disciplinary proceedings or sanctions.

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

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

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

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

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

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

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

11 (i) by authority of law; or

12 (ii) in a facility or program that is required by law to be

13 licensed by **the Department of Administration under AS 47.33 or by**

14 the Department of Health and Social Services; or

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

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

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

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

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

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

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

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

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

27 (i) by authority of law; or

28 (ii) in a facility or program that is required by law to be

29 licensed by **the Department of Administration under AS 47.33 or by**

30 the Department of Health and Social Services;

31 (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:

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

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

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

8 (B)] AS 11.41.270 or AS 11.56.740; or

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

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

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

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

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

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

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

31 \* **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,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

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

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

4 NOTICE TO THIRD PARTIES

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

19 IN WITNESS WHEREOF, I have hereunto signed my name  
20 this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

21 \_\_\_\_\_  
22 Signature of Principal

23 **Acknowledged** [SUBSCRIBED AND SWORN TO OR  
24 AFFIRMED] before me at \_\_\_\_\_  
25 on \_\_\_\_\_.

26 Signature of Officer or Notary

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

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

31 (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  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

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

(1) Resident sport fishing license . . . . . \$ 15

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

(2) Resident hunting license . . . . . 25

(3) Resident hunting and trapping license . . . . . 40

(4) Resident trapping license . . . . . 15

(5) Resident hunting and sport fishing license . . . . . 40

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

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

(i) is receiving or has received assistance during the preceding six months under any state or federal welfare program to aid the indigent, or

(ii) has an annual family gross income of less than \$8,200 for the year preceding application;

(B) a person paying \$5 for a resident hunting, trapping, and sport fishing license must provide proof of eligibility under this paragraph when requested by the departments.

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

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

(B) For three-day license . . . . . 15

(C) For one-day license . . . . . 10

(8) Nonresident sport fishing license . . . . . 50

(9) Nonresident hunting license . . . . . 85

(10) Nonresident hunting and sport fishing license . . . . . 135

A nonresident may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under (15) of this subsection. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any 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	(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

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

- 12 (A) qualifies for a 25 cent license fee under (1) of this
- 13 subsection;
- 14 (B) is under the age of 16;
- 15 (C) is 60 years of age or older and has been a resident of the
- 16 state for at least one year;
- 17 (D) is a disabled veteran eligible for a free license under
- 18 AS 16.05.341; or
- 19 (E) qualifies for a \$5 license fee under (6) of this subsection.

20	(24) Nonresident anadromous king salmon tag - valid for the period	
21	inscribed on the tag	
22	(A) for a one-day tag . . . . .	\$10
23	(B) for a three-day tag . . . . .	15
24	(C) for a 14-day or annual tag . . . . .	35.

25 A nonresident may not engage in sport fishing for anadromous king salmon  
 26 without having a valid anadromous king salmon tag in the person’s actual  
 27 possession, unless that person is under the age of 16. However, members of the  
 28 military service on active duty who are permanently stationed in the state, and  
 29 their dependents, who do not qualify as residents under AS 16.05.940, may  
 30 obtain an annual nonresident military anadromous king salmon tag for \$20.

31 \* **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, expire at the close of December 31 following  
6 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

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

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

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

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

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

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

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

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

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

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

28 (2) erect a dam, barricade, or obstruction to retard, conserve, impound,  
29 or divert the waters described in (1) of this **subsection** [SECTION] to prevent, retard,  
30 or interfere with the free ingress or egress of salmon into those waters in the natural  
31 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

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

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

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

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

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

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

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

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

28 Sec. 46.09.030. DISASTER EMERGENCIES. The commissioner of  
29 environmental conservation or the **adjutant general of the Department of Military**  
30 **and Veterans' Affairs** [COMMISSIONER OF MILITARY AND VETERANS'  
31 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).