

SENATE BILL NO. 293

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL

Introduced: 3/20/00

Referred: Judiciary

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 02.15.040 is amended to read:

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

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

11 **Sec. 02.15.170. Duty of department.** The department shall assist and
12 cooperate with the Department of Education and Early Development, the University
13 of Alaska, the Civil Air Patrol, the Federal Aviation Administration [AGENCY] and
14 other civic, state and federal agencies in the development of a sound aeronautical

1 educational program in the state by providing financial and material aid within its
2 means and the use of state aviation facilities and equipment whenever possible.

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

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

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

13 **Sec. 02.35.120. Penalties for violation of chapter except AS 02.35.090 and**
14 **02.35.110.** A person who acts as an airman for a civil aircraft when flown or operated
15 in this state, except as provided in AS 02.35.080 and 02.35.100, without holding an
16 existing airman's license or permit issued in accordance with this chapter and federal
17 law; or who flies or causes to be flown in this state any civil aircraft, except as
18 provided in AS 02.35.080 and 02.35.100, without an existing license or permit for that
19 aircraft issued in accordance with the provisions of this chapter and federal law; or
20 who violates a provision of this chapter **other than AS 02.35.090 or 02.35.110** or a
21 regulation adopted under this chapter, is punishable by a fine of not more than \$500
22 or by imprisonment for not more than six months or by both.

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

24 (a) Fairs may be held each year in each of the house [ELECTION] districts,
25 and state aid for the operation and maintenance of the fairs may not exceed a basic
26 grant of \$10,000; however, fairs in existence five years or longer may receive an
27 increment grant not to exceed \$2,500 per year of existence to a maximum of \$75,000.
28 The people of each district sponsoring a fair are not eligible for state aid unless they
29 subscribe to spend from their own funds for that purpose an amount equal to the
30 amount of the state aid and have or organize an agricultural and industrial fair
31 association for the operation and maintenance of the fairs. Each fair receiving state

1 aid is open to entries by the people of the whole state, and special provision shall be
2 made for exhibits from boys' and girls' clubs.

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

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

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

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

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

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

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

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

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

30 (e) If the irregular payment is confirmed in writing by the borrower, and the
31 method of repayment is consistent with the maximum term and annual interest rate

1 provided in this chapter, and if a borrower demonstrates sufficient seasonal or
 2 extraordinary income to support repayment of a loan, the loan contract may provide
 3 for irregular payments and first payment loan extensions greater than 45 days from the
 4 date the [LOAN] is made.

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

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

8 (1) is of good moral character;

9 (2) is at least 21 years of age;

10 (3) either

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

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

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

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

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

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

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

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

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

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

1 duties;

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

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

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

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

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

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

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

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

25 (3) a physician or surgeon;

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

28 (5) a dentist licensed in another state who is teaching or demonstrating
29 clinical techniques at a meeting, seminar, or limited course of instruction sponsored
30 by a dental or dental auxiliary society or association or by an accredited dental or
31 dental auxiliary educational institution;

1 (6) a dentist licensed in another state who provides emergency care to
 2 an injured or ill person who reasonably appears to the dentist to be in immediate need
 3 of emergency aid in order to avoid serious harm or death if the care is provided
 4 without remuneration.

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

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

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

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

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

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

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

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

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

22 **Sec. 08.42.100. Funeral establishment permit.** A [AFTER JANUARY 1,
 23 1977, A] person may not conduct, maintain, manage, or operate a funeral establishment
 24 unless a permit for each establishment has been issued by the department and is
 25 conspicuously displayed in the funeral establishment. Each permit is valid only for
 26 one specific location, and each firm operating from the same funeral establishment
 27 shall obtain a separate permit. The department shall issue a permit to operate a funeral
 28 establishment upon application for the permit on a form provided by the department.
 29 All permits expire at the time established under AS 08.01.100 and may be renewed for
 30 successive terms. Violation of a provision of AS 08.42.090 by a person operating a
 31 funeral establishment or, with that person's knowledge or consent, by an employee is

1 considered sufficient cause for suspension or revocation of the funeral establishment
2 permit.

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

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

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

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

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

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

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

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

25 (1) **a** [A] director who votes for or assents to a distribution to the
26 corporation's shareholders contrary to the provisions of AS 10.06.358, 10.06.360,
27 10.06.363, or 10.06.365 or contrary to a restriction in the articles of incorporation [,]
28 is liable to the corporation, jointly and severally with all other directors voting for or
29 assenting to the distribution, for the amount of the distribution that is paid or the value
30 of the assets that are distributed in excess of the amount of the distribution that could
31 have been paid or distributed without violation of **AS 10.06.305 - 10.06.390**

1 [AS 10.06.405 - 10.06.438] or the restrictions of the articles of incorporation; [.]

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

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

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

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

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

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

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

26 **Sec. 13.16.580. Purchasers from distributees protected.** If property
27 distributed in kind or a security interest in it is acquired for value by a purchaser from
28 or lender to a distributee who has received an instrument or deed of distribution from
29 the personal representative, the purchaser or lender takes title free of rights of any
30 interested person in the estate and incurs no personal liability to the estate, or to any
31 interested person, whether or not the distribution was proper or supported by court

1 order and whether or not the authority of the personal representative was terminated
 2 before execution of the instrument or deed. This section protects a purchaser from or
 3 lender to a distributee who, as personal representative, executed the deed of
 4 distribution, as well as a purchaser from or lender to any other distributee or transferee
 5 of a distributee. To be protected under this provision, a purchaser or lender need not
 6 inquire whether a personal representative acted properly in making the distribution in
 7 kind, even if the personal representative and the distributee are the same person, or
 8 whether the authority of the personal representative had terminated before the
 9 distribution. Any instrument described in this section which is recorded under
 10 AS 40.17 [AS 34.15] or filed under AS 45.09 [AS 45.05] and which bears a notation
 11 of that recordation or filing is prima facie evidence that the transfer described in it was
 12 made for value.

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

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

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

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

- 25 (1) the ward or respondent by the visitor as provided in AS 13.26.107;
 26 (2) any person who is serving as guardian or conservator of the ward
 27 or respondent, or who has care and custody of the ward or respondent;
 28 (3) in case a [NO OTHER] person is not notified under (4) of this
 29 subsection, at least one of the closest adult relatives of the ward or respondent, if any
 30 can be found;
 31 (4) the spouse, parents, and adult children of the ward or respondent;

1 (5) any person who performed an evaluation for the visitor's report
2 within the previous two years;

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

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

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

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

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

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

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

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

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

24 (1) is a citizen of the United States;

25 (2) is 18 years of age or older;

26 (3) [REPEALED];

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

30 (4) [(5) REPEALED

31 (6)] has registered before the election as required under AS 15.07 and

1 is not registered to vote in another jurisdiction.

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

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

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

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

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

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

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

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

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

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

30 (d) A person who claims to be a registered voter, but for whom no evidence
31 of registration in the precinct can be found, shall be granted the right to vote in the

1 same manner as that of a questioned voter and the ballot shall be treated in the same
 2 manner. The ballot shall be considered to be a "questioned ballot" and shall be so
 3 designated. The director or the director's representative shall determine whether the
 4 voter is registered in the house [ELECTION] district before counting the ballot. A
 5 voter who has failed to obtain a transfer as provided in (c) of this section shall vote
 6 a "questioned ballot" in the precinct in which the voter resides.

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

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

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

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

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

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

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

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

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

30 **Sec. 15.10.110. Appointment of election supervisors.** The director shall
 31 appoint election supervisors, including one in each of the municipalities of Juneau,

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

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

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

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

20 (10) "political party" means

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

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

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

31 (6) The general election ballot shall be designed with the position of

1 names of the candidates set out in the same order in each section on each ballot used
2 in **a house** [AN ELECTION] district. However, the order of placement of the names
3 of the candidates for each office shall be randomly determined by the director for
4 ballots printed for use in each **house** [ELECTION] district.

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

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

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

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

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

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

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

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

31 * **Sec. 45.** AS 15.20.061(a) is amended to read:

1 (a) A qualified voter may apply in person for an absentee ballot to the
2 following election officials at the times specified:

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

6 (2) to an election supervisor

7 (A) after a date announced by the director under
8 AS 15.20.048(b); and

9 (B) on or after the 15th day before an election up to and
10 including the date of the election;

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

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

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

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

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

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

31 (a) If a qualified voter of the state votes a ballot for **a house** [AN ELECTION]

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

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

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

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

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

1 * **Sec. 50.** AS 15.20.450 is amended to read:

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

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

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

25 (1) the full name of the candidate;

26 (2) the full mailing address of the candidate;

27 (3) if the candidacy is for the office of state senator or state
 28 representative, the house [ELECTION] or senate district of which the candidate is a
 29 resident;

30 (4) the office for which the candidate seeks nomination;

31 (5) the name of the political party of which the person is a candidate

1 for nomination;

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

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

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

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

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

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

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

15 (13) that the required fee accompanies the declaration;

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

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

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

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

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

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

30 (A) by actual physical presence at a specific location within the
31 district; and

1 (B) by maintaining a habitation at the specific location;

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

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

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

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

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

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

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

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

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

1 * **Sec. 56.** AS 15.45.160 is amended to read:

2 **Sec. 15.45.160. Bases for determining the petition was improperly filed.**

3 The lieutenant governor shall notify the committee that the petition was improperly
4 filed upon determining that

5 (1) there is an insufficient number of qualified subscribers; [,] or

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

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

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

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

15 **Sec. 15.45.390. Bases for determining the petition was improperly filed.**

16 The lieutenant governor shall notify the committee that the petition was improperly
17 filed upon determining that

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

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

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

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

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

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

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

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

30 (4) the designation of a recall committee of three sponsors who shall
31 represent all sponsors and subscribers in matters relating to the recall;

1 (5) the signatures of at least 100 qualified voters who subscribe to the
2 application as sponsors for purposes of circulation; and

3 (6) the signatures and addresses of qualified voters equal in number to
4 10 percent of those who voted in the preceding general election in the state or in the
5 senate or house [ELECTORAL] district of the official sought to be recalled.

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

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

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

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

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

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

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

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

1 recalled.

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

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

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

13 **Sec. 15.58.020. Contents of pamphlet.** Each election pamphlet must contain
 14 (1) photographs and campaign statements submitted by eligible
 15 candidates for elective office in the region;
 16 (2) information and recommendations filed under AS 15.58.050 on
 17 judicial officers subject to a retention election in the region;
 18 (3) a map of the house [ELECTION] district or districts of the region;
 19 (4) sample ballots for house [ELECTION] districts of the region;
 20 (5) an absentee ballot application;
 21 (6) for each ballot proposition submitted to the voters by initiative or
 22 referendum petition or by the legislature,
 23 (A) the full text of the proposition specifying constitutional or
 24 statutory provisions proposed to be affected;
 25 (B) the ballot title and the summary of the proposition prepared
 26 by the director or by the lieutenant governor;
 27 (C) a neutral summary of the proposition prepared by the
 28 Legislative Affairs Agency;
 29 (D) statements submitted that [WHICH] advocate voter
 30 approval or rejection of the proposition not to exceed 500 words;
 31 (7) for each bond question, a statement of the scope of each project as

1 it appears in the bond authorization;

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

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

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

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

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

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

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

15 (28) "senate district" means a senate district established under art.

16 VI [THE TERRITORY INCLUDED IN THE ELECTION DISTRICTS
17 AS DESIGNATED IN ART. XIV, SEC. 2,] of the state constitution [, AS MAY BE
18 MODIFIED UNDER ART. VI OF THE STATE CONSTITUTION];

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

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

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

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

25 (A) for a one-day tag \$ 10

26 (B) for a three-day tag 20

27 (C) for a seven-day tag 30

28 (D) for a 14-day tag 50

29 (E) for an annual tag 100.

30 A nonresident may not engage in sport fishing for anadromous king salmon without
31 having a valid anadromous king salmon tag in the person's actual possession, unless

1 that person is under the age of 16. Members of the military service on active duty
 2 who are permanently stationed in the state, and their dependents, who do not qualify
 3 as residents under AS 16.05.415 [AS 16.05.940], may obtain an annual nonresident
 4 military anadromous king salmon tag for \$20.

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

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

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

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

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

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

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

25 (a) Except as provided in AS 16.05.430, 16.05.665, 16.05.722, 16.05.723,
 26 16.05.783, 16.05.831, [AND] 16.05.860, and 16.05.905, a person who violates
 27 AS 16.05.920 or 16.05.921, or a regulation adopted under this chapter or AS 16.20,
 28 is guilty of a class A misdemeanor.

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

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

31 (1) intended solely for investigational use by experts qualified by

1 scientific training and experience to investigate the safety in drugs **if** [PROVIDED] the
 2 drug is plainly labeled "for investigational use only"; or

3 (2) **regulated under 42 U.S.C. 262** [LICENSED UNDER THE
 4 VIRUS, SERUM, AND TOXIN ACT OF JULY 1, 1902 (U.S.C. 1934 ED. TITLE 42,
 5 CHAP. 4)].

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

7 **Sec. 18.50.070. Registration districts.** The state registrar shall establish
 8 registration districts throughout the state. The state registrar may consolidate or
 9 subdivide a district to facilitate registration. Registration districts shall take into
 10 account the boundary lines of local governmental units, **house** [ELECTION] districts,
 11 judicial districts, and other local boundary lines in general use, where feasible.

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

13 (i) If the money used to purchase a mortgage loan made to a veteran under this
 14 section comes from an issue of bonds of the corporation guaranteed by the state, each
 15 bond must be issued as part of an issue substantially all of the proceeds of which are
 16 used to provide residences for qualifying veterans. In this subsection, a qualifying
 17 veteran is a person who is a "qualified veteran" as the term is defined or may
 18 subsequently be defined under **26 U.S.C. 143** [26 U.S.C. 103A (MORTGAGE
 19 SUBSIDY BOND TAX ACT OF 1980), AS AMENDED].

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

21 (3) "domestic violence" and "crime involving domestic violence" mean
 22 one or more of the following offenses or **an offense under** a law or ordinance of
 23 another jurisdiction having elements similar to these offenses, or an attempt to commit
 24 the offense, by a household member against another household member:

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

26 (B) burglary under AS 11.46.300 - 11.46.310;

27 (C) criminal trespass under AS 11.46.320 - 11.46.330;

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

29 11.46.430;

30 (E) criminal mischief under AS 11.46.480 - 11.46.486;

31 (F) terroristic threatening under AS 11.56.810;

- 1 (G) violating a domestic violence order under AS 11.56.740; or
 2 (H) harassment under AS 11.61.120(a)(2) - (4);

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

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

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

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

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

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

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

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

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

29 **Sec. 21.39.060. Rating organizations.** (a) A corporation, an unincorporated
 30 association, a partnership, or a person, whether located inside or outside this state, may
 31 make application to the director for license as a rating organization for the kinds of

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

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

22 (1) its constitution, its articles of agreement or association, or its
 23 certificate of incorporation, and its bylaws and regulations governing the conduct of
 24 its business;

25 (2) its list of members and subscribers; and

26 (3) the name and address of the resident of this state designated by it
 27 upon whom notices or orders of the director or process affecting the rating
 28 organization may be served.

29 **(c)** [(b)] Subject to regulations that have been approved by the director as
 30 reasonable, each rating organization shall permit an insurer that is not a member to be
 31 a subscriber to its rating services for the kind of insurance, subdivision, or class of risk

1 or a part or combination **of them** [THEREOF] for which it is authorized to act as a
 2 rating organization. Notice of proposed changes in the regulations shall be given to
 3 subscribers. Each rating organization shall furnish its rating service without
 4 discrimination to its members and subscribers. The reasonableness of a regulation in
 5 its application to subscribers, or the refusal of a rating organization to admit an insurer
 6 as a subscriber, shall, at the request of a subscriber or an insurer, be reviewed by the
 7 director at a hearing held upon at least 10 **days'** [DAYS] written notice to the rating
 8 organization and to the subscriber or insurer. If the director finds that the regulation
 9 is unreasonable in its application to subscribers, the director shall order that the
 10 regulation shall not be applicable to subscribers. If the rating organization fails to
 11 grant or reject an insurer's application for subscribership within 30 days after it was
 12 made, the insurer may request a review by the director as if the application had been
 13 rejected. If the director finds that the insurer has been refused admittance to the rating
 14 organization as a subscriber without justification, the director shall order the rating
 15 organization to admit the insurer as a subscriber. If the director finds that the action
 16 of the rating organization was justified, the director shall make an order affirming **the**
 17 [ITS] action.

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

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

30 **(f)** [(e)] A rating organization may provide for the examination of policies,
 31 daily reports, binders, renewal certificates, endorsements, or other evidences of

1 insurance, or the cancellation **of them** [THEREOF], and may make reasonable rules
 2 governing their submission. The rules must contain a provision that in the event an
 3 insurer does not within 60 days furnish satisfactory evidence to the rating organization
 4 of the correction of an error or omission previously called to its attention by the rating
 5 organization, it shall be the duty of the rating organization to notify the director. All
 6 information submitted for examination shall be confidential.

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

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

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

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

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

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

28 (b) Except as provided in this subsection, educational programs and monetary
 29 benefits available to persons under (a) of this section are based on and equivalent to
 30 those of the **United States Department of Veterans Affairs** [FEDERAL VETERANS
 31 ADMINISTRATION] education program. Educational assistance may only be

1 provided for a program or class in which the person is a student in good standing.

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

3 (1) "disabled veteran" means a disabled person

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

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

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

15 **Sec. 29.47.470. Taxes or fees on transportation by certain air carriers**
16 **prohibited.** Notwithstanding other provisions of law, a municipality may not levy or
17 collect a tax or fee on the air transportation of individuals or goods by a federally
18 certificated air carrier other than a tax or fee authorized under **49 U.S.C. 40116(e) or**
19 **40117** [49 U.S.C. App 1513(b) or (e)]. This section applies to home rule and general
20 law municipalities.

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

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

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

28 (c) A minimum of \$25,000 shall be allocated to each municipality's individual
29 grant account each fiscal year under (b) of this section. The department shall reduce
30 allocations under (b) of this section on a pro rata basis, based upon the population of
31 the municipalities, if necessary to fund the minimum amount for each municipality.

1 If appropriations are not sufficient to fully fund the minimum amount for each
 2 municipality, the amount appropriated shall be allocated equally among the
 3 **municipalities** [MUNICIPALITY] individual grant accounts.

4 * **Sec. 85.** AS 38.05.180(j)(6)(B) is amended to read:

5 (B) keep the data described in (A) of this paragraph confidential
 6 under AS 38.05.035(a)(9) at the request of the lessee or lessees making
 7 application for the royalty modification; the confidential data may be disclosed
 8 by the commissioner to legislators and to the legislative auditor and as directed
 9 by the chair or vice-chair of the **Legislative Budget and Audit** [LB&A]
 10 Committee to the director of the division of legislative finance, the permanent
 11 employees of their respective divisions who are responsible for evaluating a
 12 royalty modification, and to agents or contractors of the legislative auditor or
 13 the legislative finance director who are engaged under contract to evaluate the
 14 royalty modification, **if** [PROVIDED] they sign an appropriate confidentiality
 15 agreement;

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

17 **Sec. 39.27.030. Cost-of-living survey.** Subject to an appropriation for this
 18 purpose, the director shall conduct a survey, at least every five years, to review the pay
 19 differentials established in AS 39.27.020. The survey may address factors, as
 20 determined by the director, that are also relevant in review of state salary schedules,
 21 entitlement for beneficiaries of state programs, and payments for state service
 22 providers. The survey must reflect the costs of living in various election districts of
 23 the state, and Seattle, Washington, by using the cost of living in Anchorage as a base.

24 **In this section, "election district" has the meaning given in AS 39.27.020(b).**

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

26 (b) Service as an elected official before January 1, 1981, with an employer
 27 may be included retroactively as credited service with the system if the elected official
 28 or former elected official makes retroactive contributions equal to what **the official**
 29 would have [BEEN] made if the elected official or former elected official had been
 30 included in the system when the oath of office as an elected official was taken, plus
 31 accrued interest from July 1, 1984. The rate used to calculate the retroactive

1 contributions may not be less than the rate in effect on January 1, 1961. An elected
 2 official or former elected official may not receive credited service under this subsection
 3 for any period in which the elected official or former elected official was receiving a
 4 retirement benefit from the system. An elected official or former elected official
 5 receiving a retirement benefit from the system on January 1, 1981, is not eligible to
 6 claim credited service under this subsection unless the elected official or former elected
 7 official is reemployed as an active member. Service as an elected official with an
 8 employer constitutes employment as an active member as long as a waiver of coverage
 9 under (a) of this section is not in effect.

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

11 (b) The board shall also

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

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

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

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

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

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

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

30 (e) The commission shall adopt regulations for electric cooperatives and for
 31 local exchange telephone utilities setting a range for adjustment of rates by a simplified

1 rate filing procedure. A cooperative or telephone utility may apply for permission to
 2 adjust its rates over a period of time under the simplified rate filing procedure
 3 regulations. The commission shall grant the application if the cooperative or telephone
 4 utility satisfies the requirements of the regulations. The commission may review
 5 implementation of the simplified rate filing procedure at reasonable intervals and may
 6 revoke permission to use the procedure or require modification of the rates to correct
 7 an error. [THE COMMISSION SHALL ADOPT THE REGULATIONS
 8 CONCERNING ADJUSTMENT OF RATES BY LOCAL EXCHANGE TELEPHONE
 9 UTILITIES ON OR BEFORE OCTOBER 1, 1991.]

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

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

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

15 **Sec. 42.40.430. Acquisition of government property.** The corporation, as an
 16 instrumentality of the state, may acquire in its own name from the United States under
 17 [50 U.S.C. APP. 1622 - 1622C (SURPLUS PROPERTY ACT OF 1944),] 40 U.S.C.
 18 471 et seq. (Federal Property and Administrative Services Act of 1949) [,] or other
 19 law, property under the control of a federal department or agency that is useful for the
 20 corporation's purposes. The corporation may acquire from the Department of
 21 Administration property of the state made available under AS 44.68.110 - 44.68.140.

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

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

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

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

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

31 (4) court ordered fines;

1 (5) writs of execution under AS 09.35 of a judgment that is entered
 2 (A) against a minor in a civil action to recover damages and
 3 court costs;

4 (B) under AS 34.50.020 against the parent, parents, or legal
 5 guardian of an unemancipated minor;

6 (6) a debt owed by an eligible individual to an agency of the state,
 7 unless the debt is contested and an appeal is pending, or the time limit for filing an
 8 appeal has not expired;

9 (7) a debt owed to a person for a program for the rehabilitation of
 10 perpetrators of domestic violence required under AS 12.55.101, AS 18.66.100(c)(15),
 11 AS 25.20.061(3), or AS 33.16.150(f)(2).

12 * **Sec. 93.** AS 44.28.020(c) is amended to read:

13 (c) The department shall establish an automated inmate information system to
 14 allow persons to place surcharge telephone calls to obtain information concerning
 15 inmates and where they are incarcerated, bail and bond information, and information
 16 concerning visiting hours at institutions. A system established under this subsection
 17 [(1)] shall be designed so that

18 (1) all the costs of the system are, at a minimum, met by the revenues
 19 received from calls to the system; [,] and

20 (2) [SHALL BE DESIGNED SO THAT] the revenues received satisfy
 21 or defray the costs of establishing and maintaining an automated victim notification
 22 system [IF SUCH A SYSTEM IS] established under AS 12.61.050.

23 * **Sec. 94.** AS 44.31.020 is amended to read:

24 **Sec. 44.31.020. Duties of department.** The Department of Labor and
 25 Workforce Development shall

26 (1) enforce the laws, and adopt regulations under them concerning
 27 employer-employee relationships, including the safety, hours of work, wages, and
 28 conditions of workers, including children;

29 (2) accumulate, analyze, and report labor statistics;

30 (3) operate systems of workers' compensation and unemployment
 31 insurance;

1 (4) gather data reflecting the cost of living in the various election
 2 districts of the state upon request of the director of personnel under AS 39.27.030; in
 3 this paragraph, "election district" has the meaning given in AS 39.27.020(b);

4 (5) operate the federally funded employment and training programs
 5 under 29 U.S.C. 1501 - 1792b (Job Training Partnership Act); and

6 (6) administer the state's program of adult basic education.

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

8 **Sec. 44.33.020. Duties of department.** The Department of Community and
 9 Economic Development shall

10 (1) advise and assist local governments;

11 (2) advise the governor and other commissioners on the delivery of
 12 government services to rural areas, including services relating to public safety, justice,
 13 economic development, natural resource management, education, and public health;

14 (3) make recommendations to the governor and other commissioners
 15 about policy changes that would affect rural governments and rural affairs;

16 (4) serve as staff for the Local Boundary Commission;

17 (5) conduct studies and carry out experimental and pilot projects for the
 18 purpose of developing solutions to community and regional problems;

19 (6) promote cooperative solutions to problems affecting more than one
 20 community or region, including joint service agreements, regional compacts, and other
 21 forms of cooperation;

22 (7) serve as a clearinghouse for information useful in solution of
 23 community and regional problems, and channel to the appropriate authority requests
 24 for information and services;

25 (8) advise and assist community and regional governments on matters
 26 of finance, including but not limited to bond marketing and procurement of federal
 27 funds;

28 (9) prepare suggested guidelines relating to the content of notice of
 29 bond sale advertisements, prospectuses, and other bonding matters issued by local
 30 governments;

31 (10) administer state funds appropriated for the benefit of unorganized

1 regions within the state, allowing for maximum participation by local advisory councils
2 and similar bodies;

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

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

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

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

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

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

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

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

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

29 (20) administer state and, as appropriate, federal programs for revenue
30 sharing, grants, and other forms of financial assistance to community and regional
31 governments;

1 (21) administer the state programs relating to commerce **or community**
2 **development**, enforce the laws relating to these programs, and adopt regulations under
3 these laws;

4 (22) register corporations;

5 (23) collect corporation franchise taxes;

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

9 (25) make veterans' loans;

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

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

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

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

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

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

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

29 (33) review the programs and annual reports of other departments and
30 agencies as they are related to economic development and prepare an annual report on
31 the economic growth of the state;

1 (34) administer the economic development programs of the state;

2 (35) perform all other duties and powers necessary or proper in relation
3 to economic development and planning for the state;

4 (36) request tourism-related businesses in the state to provide data
5 regarding occupancy levels, traffic flow and gross receipts and to participate in visitor
6 surveys conducted by the department; data collected under this paragraph that discloses
7 the particulars of an individual business is not a matter of public record and shall be
8 kept confidential; however, this restriction does not prevent the department from using
9 the data to formulate tourism economic impact information including expenditure
10 patterns, tax receipts and fees, employment and income attributable to tourism, and
11 other information considered relevant to the planning, evaluation, and policy direction
12 of tourism in the state;

13 (37) provide administrative and budgetary services to the **Real Estate**
14 **Commission** [REAL ESTATE COMMISSION] under AS 08.88 as requested by the
15 commission;

16 (38) sell at cost, to the extent possible, publications and promotional
17 materials developed by the department;

18 (39) as delegated by the governor, administer under 16 U.S.C. 1856 the
19 internal waters foreign processing permit procedures and collect related fees;

20 (40) administer state laws relating to the issuance of business licenses;

21 (41) comply with AS 15.07.055 to serve as a voter registration agency
22 to the extent required by state and federal law, including 42 U.S.C. 1973gg (National
23 Voter Registration Act of 1993);

24 (42) foster the growth of international trade within the state and
25 administer Alaska foreign offices;

26 (43) carry out other functions and duties, consistent with law, necessary
27 or appropriate to accomplish the purpose of this chapter.

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

29 (b) A subpoena issued under (a) of this section extends to all parts of the state
30 and shall be served in accordance with the rules of civil procedure. A witness is not
31 obliged to attend at a place out of the **house** [ELECTION] district in which the witness

1 resides unless the distance is less than 100 miles from the place of residence, except
2 that the agency, upon affidavit of a party showing that the testimony of the witness is
3 material and necessary, may endorse on the subpoena an order requiring the attendance
4 of the witness.

5 * **Sec. 97.** AS 46.03.313(d) is amended to read:

6 (d) The department shall hold public hearings in each house [ELECTION]
7 district in which a hazardous waste management facility site is proposed to be located.
8 The department shall give reasonable public notice of the time, date, and place of each
9 public hearing at least 30 days before the hearing. The public shall be afforded an
10 opportunity at each hearing to submit written and oral testimony concerning a potential
11 site.

12 * **Sec. 98.** AS 46.08.040(a) is amended to read:

13 (a) In addition to money in the response account of the fund that is transferred
14 to the commissioner of community and economic development to make grants under
15 AS 29.60.510 and to pay for impact assessments under AS 29.60.560, the
16 commissioner of environmental conservation may use money

17 (1) from the response account in the fund

18 (A) when authorized by AS 46.08.045, to investigate and
19 evaluate the release or threatened release of oil or a hazardous substance, and
20 contain, clean up, and take other necessary action, such as monitoring and
21 assessing, to address a release or threatened release of oil or a hazardous
22 substance that poses an imminent and substantial threat to the public health or
23 welfare, or to the environment;

24 (B) to provide matching funds in the event of a release of oil
25 or a hazardous substance for which use of the response account is authorized
26 by AS 46.08.045 for participation

27 (i) in federal oil discharge cleanup activities; and

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

31 (C) to recover the costs to the state, a municipality, a village,

1 or a school district of a containment and cleanup resulting from the release or
2 the threatened release of oil or a hazardous substance for which money was
3 expended from the response account;

4 (2) from the prevention account in the fund to

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

10 (B) pay all costs incurred

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

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

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

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

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

26 (C) pay, when presented with appropriate documentation by the
27 Department of Military and Veterans' Affairs, the expenses incurred by the
28 Department of Military and Veterans' Affairs for Alaska State Emergency
29 Response Commission activities, including staff support, when the activities
30 and staff support relate to oil or hazardous substances, and for the costs of
31 being prepared for responding to a request by the department for support in

1 response and restoration, but not including the costs of maintaining the
2 response corps and the emergency response depots under AS 26.23.045;

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

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

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

15 (i) in federal oil discharge cleanup activities; and

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

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

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

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

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

30 (iii) grants to repair, improve, or replace fuel storage
31 facilities under the bulk fuel system emergency repair and upgrade

1 program;

2 (I) recover the costs to the state, a municipality, a village, or a
3 school district of a containment and cleanup resulting from the release or
4 threatened release of oil or a hazardous substance for which money was
5 expended from the prevention account;

6 (J) prepare, review, and revise

7 (i) the state's master oil and hazardous substance
8 discharge prevention and contingency plan required by AS 46.04.200;
9 and

10 (ii) a regional master oil and hazardous substance
11 discharge prevention and contingency plan required by AS 46.04.210;
12 and

13 (K) restore the environment by addressing the effects of an oil
14 or hazardous substance release.

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

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

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

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

31 * **Sec. 101.** The uncodified law of the State of Alaska enacted in sec. 54(b), ch. 132, SLA

1 1998, is amended to read:

2 (b) The amendments made by secs. 3 - 9, 16, 21 - 26, 30 - 33, 47, 51, and 52
 3 of this Act are repealed July 1, 2001. If a law is amended by secs. 3 - 9, 16, 21 - 26,
 4 30 - 33, 47, 51, or 52 of this Act by adding a new section or subsection, that new
 5 section or subsection is repealed July 1, 2001. If a law is amended by secs. 3 - 9, 16,
 6 21 - 26, 30 - 33, 47, 51, or 52 of this Act by adding new language to a section or
 7 subsection that existed before the effective date of this section, that section or
 8 subsection is repealed and reenacted on July 1, 2001, to read as it existed on the day
 9 before the amendment to the law under secs. 3 - 9, 16, 21 - 26, 30 - 33, 47, 51, or 52
 10 of this Act took effect except that, if the same section or subsection is repealed and
 11 reenacted under sec. 148(c), ch. 87, SLA 1997, as amended by sec. 53 of this Act, that
 12 section or subsection is repealed and reenacted on July 1, 2001, to read as it existed
 13 on the day before the amendment to the law under ch. 87, SLA 1997, took effect.
 14 When implementing this subsection and sec. 148(c), ch. 87, SLA 1997, as amended
 15 by sec. 53 of this Act, the revisor of statutes may not retain any amendments made to
 16 the affected statutes that took effect or take effect from July 1, 1997, through June 30,
 17 2001.

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

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

23 NO DELAYED REPEAL OF 1998 AMENDMENT TO AS 25.27.165(b).
 24 Notwithstanding sec. 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA 1998,
 25 and notwithstanding sec. 54(b), ch. 132, SLA 1998, the amendment to AS 25.27.165(b) made
 26 by sec. 28, ch. 132, SLA 1998, is not repealed under sec. 148(c), ch. 87, SLA 1997, as
 27 amended by sec. 53, ch. 132, SLA 1998 and is not affected by sec. 54(b), ch. 132, SLA 1998.
 28 However, this bill section does not affect other amendments made to AS 25.27.165(b) by sec.
 29 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA 1998, or other law.

30 * **Sec. 104.** The uncodified law of the State of Alaska is amended by adding a new section
 31 to read:

1 REVISOR'S INSTRUCTION. Consistent with sec. 25 of this Act, the revisor of
2 statutes shall change the statutes and the lieutenant governor shall change the regulations so
3 that all references to the state Board of Education become references to the Board of
4 Education and Early Development.

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

7 REVISOR'S INSTRUCTION CONCERNING DATES ON STATUTORY FORMS.
8 The revisor of statutes is instructed to change "19__" or "1___" wherever they appear in
9 statute as part of a form to "2___."

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