

SENATE BILL NO. 173

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL

Introduced: 1/23/12

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act making corrective amendments to the Alaska Statutes as recommended by the**
2 **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 18.50.165(a) is amended to read:

5 (a) The state registrar shall prepare a form for use in acknowledging paternity
6 under AS 25.20.055. **The** [ON AND AFTER JULY 1, 1997, THE] form must comply
7 with the minimum requirements of 42 U.S.C. 652(a)(7). The form must include

8 (1) a statement that the man who signs the form is acknowledging that
9 the man is the natural father of the child named in the form and that the man assumes
10 the parental duty of support of that child;

11 (2) the address and social security number of both parents of the child
12 named in the form;

13 (3) signature lines for both parents;

14 (4) a signature line for either a witness or notary public; and

1 (5) [ON AND AFTER JULY 1, 1997,] a statement that

2 (A) sets out the legal consequences to and the rights and
3 responsibilities of the mother and the man acknowledging paternity of signing
4 the form, including

5 (i) if one of the parents is a minor, any rights given due
6 to minority status;

7 (ii) legal alternatives to signing the form; and

8 (iii) the legal responsibility that arises from signing the
9 form;

10 (B) the mother and the man acknowledging paternity have been
11 notified that, unless fraud, duress, or material mistake of fact is shown in
12 accordance with AS 25.20.050, the acknowledgment may only be rescinded by
13 the earlier of the following dates:

14 (i) 60 days after the date of the person's signature; or

15 (ii) the date of initiation of an administrative or judicial
16 procedure to establish support of the child in which the person is a
17 party; and

18 (C) the mother and the man acknowledging paternity have read
19 and understand the contents of the form.

20 * **Sec. 2.** AS 18.56.110(g) is amended to read:

21 (g) Notwithstanding AS 18.56.090(a)(11) and (a) of this section, the
22 corporation may not issue bonds in any 12-month period [BEGINNING AFTER
23 JUNE 30, 1983,] in an amount that exceeds the amount of bonds authorized to be
24 issued during the preceding period, unless a different amount is authorized by the
25 legislature. This subsection does not apply to

26 (1) the issuance by the corporation of refunding bonds;

27 (2) the issuance by the corporation of bonds the proceeds of which are
28 intended to be used to refinance mortgage loans held by the corporation; or

29 (3) the issuance by a subsidiary of the corporation of bonds to prepay
30 all or a portion of a governmental employer's share of unfunded accrued actuarial
31 liability of retirement systems if the board of the subsidiary first finds that the

1 actuarially assumed rate of return on the funds managed by the Alaska Retirement
 2 Management Board is projected to exceed the true interest cost to be paid on the bonds
 3 by at least 1.5 percent annually.

4 * **Sec. 3.** AS 26.05.060 is amended to read:

5 **Sec. 26.05.060. Control of Alaska National Guard and Alaska Naval**
 6 **Militia.** The governor as ex officio commander of the militia of the state has command
 7 of the Alaska National Guard and the Alaska Naval Militia while they are not in active
 8 federal service. The governor may adopt necessary regulations for them. The [NOT
 9 INCONSISTENT WITH 48 U.S.C. 473 - 479. EXCEPT AS OTHERWISE
 10 PRESCRIBED BY THOSE SECTIONS, THE] Alaska National Guard and the Alaska
 11 Naval Militia and their members are subject to all federal laws and regulations relating
 12 to the National Guard and Naval Militia of the several states and territories and of the
 13 United States.

14 * **Sec. 4.** AS 29.60.800 is amended to read:

15 **Sec. 29.60.800. Harbor [MUNICIPAL HARBOR] facility grant fund.** (a)
 16 There is established the [MUNICIPAL] harbor facility grant fund consisting of money
 17 appropriated to the fund. Each fiscal year, the legislature may appropriate money to
 18 the fund from the watercraft fuel tax account (AS 43.40.010(f)) and from the fisheries
 19 business tax collected under AS 43.75.015 after payments to municipalities are made
 20 under AS 43.75.130. The legislature may make other appropriations to the fund. The
 21 legislature may appropriate to the fund income earned on money in the fund.

22 (b) Money appropriated to the [MUNICIPAL] harbor facility grant fund may
 23 be expended by the Department of Transportation and Public Facilities for
 24 [MUNICIPAL] harbor facility grants without further appropriation. Money in the fund
 25 does not lapse and remains available for expenditure in successive fiscal years.

26 (c) Each fiscal year, the Department of Transportation and Public Facilities
 27 shall use an amount equal to at least 50 percent of the balance of the [MUNICIPAL]
 28 harbor facility grant fund on June 30 of the preceding fiscal year for [MUNICIPAL]
 29 harbor facility grants.

30 * **Sec. 5.** AS 42.05.711(r) is amended to read:

31 (r) A plant or facility that generates electricity entirely from renewable energy

resources [, AS THAT TERM IS DEFINED IN AS 42.45.045,] is exempt from regulation under this chapter if

(1) the plant or facility

(A) is first placed into commercial operation on or after **August 31, 2010**, [THE EFFECTIVE DATE OF THIS SUBSECTION] and before January 1, 2016; and

(B) does not generate more than 65 megawatts of electricity;

(2) the electricity generated by the plant or facility is sold only to one or more electric utilities that are regulated by the commission; and

(3) the person that constructs, owns, acquires, or operates the plant or facility has not received from the state

(A) a grant that was used to generate the electricity from the renewable energy resources; or

(B) a tax credit related to the generation of electricity from the renewable energy resources.

* **Sec. 6.** AS 42.05.711 is amended by adding a new subsection to read:

(s) In this section, "renewable energy resources" means

(1) wind, solar, geothermal, wasteheat recovery, hydrothermal, wave, tidal, river in-stream, or hydropower;

(2) low-emission nontoxic biomass based on solid or liquid organic fuels from wood, forest and field residues, or animal or fish products;

(3) dedicated energy crops available on a renewable basis; or

(4) landfill gas and digester gas.

* **Sec. 7.** AS 43.20.014(f)(1) is amended to read:

(1) "school district" **means a borough school district, a city school district, a regional educational attendance area, or a state boarding school** [HAS THE MEANING GIVEN IN AS 14.03.126];

* **Sec. 8.** AS 43.55.019(g)(1) is amended to read:

(1) "school district" has the meaning given in **AS 43.20.014** [AS 14.03.126];

* **Sec. 9.** AS 43.56.018(f)(1) is amended to read:

1 (1) "school district" has the meaning given in AS 43.20.014
2 [AS 14.03.126];

3 * **Sec. 10.** AS 43.65.018(f)(1) is amended to read:

4 (1) "school district" has the meaning given in AS 43.20.014
5 [AS 14.03.126];

6 * **Sec. 11.** AS 43.75.018(f)(1) is amended to read:

7 (1) "school district" has the meaning given in AS 43.20.014
8 [AS 14.03.126];

9 * **Sec. 12.** AS 43.77.045(f)(1) is amended to read:

10 (1) "school district" has the meaning given in AS 43.20.014
11 [AS 14.03.126];

12 * **Sec. 13.** AS 44.62.190(a) is amended to read:

13 (a) At least 30 days before the adoption, amendment, or repeal of a regulation,
14 notice of the proposed action shall be

15 (1) published in the newspaper of general circulation or trade or
16 industry publication that the state agency prescribes and posted on the Alaska Online
17 Public Notice System; in the discretion of the state agency giving the notice, the
18 requirement of publication in a newspaper or trade or industry publication may be
19 satisfied by using a combination of publication and broadcasting; when broadcasting
20 the notice, an agency may use an abbreviated form of the notice if the broadcast
21 provides the name and date of the newspaper or trade or industry journal and the
22 Internet address of the Alaska Online Public Notice System where the full text of the
23 notice can be found;

24 (2) furnished to every person who has filed a request for notice of
25 proposed action with the state agency;

26 (3) if the agency is within a department, furnished to the commissioner
27 of the department;

28 (4) when appropriate in the judgment of the agency,

29 (A) furnished to a person or group of persons whom the agency
30 believes is interested in the proposed action; and

31 (B) published in the additional form and manner the state

1 agency prescribes;

2 (5) furnished to the Department of Law together with a copy of the
3 proposed regulation, amendment, or order of repeal for the department's use in
4 preparing the opinion required after adoption and before filing by AS 44.62.060;

5 (6) furnished by electronic format [, IF THE STATE AGENCY HAS
6 THE TECHNOLOGICAL CAPABILITY,] to all incumbent State of Alaska
7 legislators, and furnished to the Legislative Affairs Agency; [IF THE STATE
8 AGENCY DOES NOT HAVE THE TECHNOLOGICAL CAPABILITY TO
9 FURNISH THE NOTICE BY ELECTRONIC FORMAT TO THE LEGISLATORS,
10 THE STATE AGENCY SHALL FURNISH THE NOTICE TO THE LEGISLATORS
11 BY OTHER MEANS;]

12 (7) furnished by electronic format, along with a copy of the proposed
13 regulation, amendment, or order of repeal, as required by AS 24.20.105(c).

14 * **Sec. 14.** AS 21.27.380(f) is repealed.

15 * **Sec. 15.** This Act takes effect immediately under AS 01.10.070(c).