

Introduced: 3/16/63
Referred: Rules

1 IN THE SENATE

BY JUDICIARY COMMITTEE

2 SENATE BILL NO. 180

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act revising the Alaska Statutes to reflect
7 corrective amendments by the revisor of stat-
8 utes; and providing for an effective date."

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

10 * Section 1. AS 04.15.030 is amended to read:

11 Sec. 04.15.030. STOCK CONFINED TO LICENSED PREMISES.

12 It is unlawful for a licensee to carry for sale any stock of
13 intoxicating liquor except on the premises indicated on his
14 license. However, stocks of beer carried in a delivery truck
15 for the purpose of sale by a licensed wholesaler to others
16 licensed under this title and for the purpose of delivery to
17 their licensed premises are not subject to this section.

18 * Sec. 2. AS 06.05.345(b) is amended to read:

19 (b) The articles shall be executed in quadruplicate and
20 acknowledged before a proper officer. One copy of the
21 articles shall be filed and recorded in the office of the
22 clerk of the superior court in the judicial district in which
23 the bank is located; two [ONE SHALL BE FILED WITH THE DEPART-
24 MENT OF REVENUE: ONE], together with the bylaws of the cor-
25 poration, shall be filed with the department; and one shall be
26 retained by the corporation.

27 * Sec. 3. AS 08.44.010 is amended to read:

28 Sec. 08.44.010. LICENSING AND EXAMINATION OF EMBALMERS.

29 The Department of Health and Welfare [REVENUE] shall provide

1 rules and regulations establishing minimum qualifications for
2 embalmers and for examination of applicants and issuance of
3 licenses to persons qualified to act as embalmers. [, AND TO
4 ISSUE LICENSES] Licenses shall be issued to persons licensed
5 under the laws of another state of the United States to act
6 as embalmers. Licenses under this section are for the cal-
7 endar year and the Department of Revenue shall issue the
8 licenses and collect a fee of \$25 for each license issued and
9 for each annual renewal.

10 * Sec. 4. AS 11.15.310 is amended to read:

11 Sec. 11.15.310. LIBEL AND SLANDER. A person who wil-
12 fully speaks, writes, or in any other manner publishes de-
13 famatory or scandalous matter concerning another with intent
14 to injure or defame him is guilty of a misdemeanor, and,
15 upon conviction, is punishable by imprisonment in a jail for
16 not less than six months nor more than one year, or by a fine
17 of not less than \$50 nor more than \$500, or by both. This
18 section applies to an allusion to person or family, with
19 intent to injure, defame, or maliciously annoy the family.

20 * Sec. 5. AS 11.25 is amended by adding a new section to read:

21 Sec. 11.25.055. ALLEGATION OF INTENT TO INJURE OR
22 DEFRAUD. If the intent to injure or defraud is necessary
23 under this chapter to constitute the crime, it is sufficient
24 to allege in the indictment for the crime an intent to injure
25 or defraud without naming in the indictment the particular
26 person or body corporate intended to be injured or defrauded,
27 and, on the trial of the action, it is not considered a var-
28 iance, but is considered sufficient if there appears to be
29 an intent to injure or defraud the United States or a state,

1 territory, borough, town, or other municipal or public cor-
2 poration, or a public officer in his official capacity, or
3 any private corporation, copartnership, or member thereof, or
4 a particular person or persons.

5 * Sec. 6. AS 11.40.380 is amended to read:

6 Sec. 11.40.380. RECEIVING MONEY OR VALUE FOR PROCURING
7 FEMALE FOR IMMORAL PURPOSE. A person who knowingly receives
8 money [,] or other valuable thing [,] for or on the account of
9 procuring and placing a woman in the custody of another per-
10 son for immoral purposes, with or without her consent, is
11 guilty of a felony, and, upon conviction, is punishable by
12 imprisonment in the penitentiary for a period of not less
13 than two years nor more than 20 years, or by a fine of not
14 less than \$1,000 nor more than \$5,000, or by both.

15 * Sec. 7. AS 14.30.110 is amended to read:

16 Sec. 14.30.110. EXEMPTION FROM PHYSICAL EXAMINATION OR
17 VACCINATION. (a) No child is obliged to submit to a physical
18 examination or a vaccination if the parent or guardian of the
19 child objects on grounds of religious principles. The ob-
20 jection shall be in writing, signed by the parent or guardian,
21 and shall be delivered to the child's teacher or to the per-
22 son having authority to order or conduct the physical examina-
23 tion or the vaccination.

24 (b) The exemption from physical examination shall not
25 be granted when, in the judgment of the teacher, principal,
26 superintendent, department, or physician, a child shows
27 symptoms of physical defects or has been exposed to a conta-
28 gious, infectious, obnoxious, or communicable disease.

29 (c) The exemption from vaccination shall not be granted

1 when, in the judgment of the teacher, principal, superintendent,
2 department, or physician, a child shows symptoms of or has been
3 exposed to any communicable disease.

4 * Sec. 8. AS 16.05.670 is amended to read:

5 Sec. 16.05.670. FISHING GEAR LICENSE IN GENERAL. Fish-
6 ing gear licenses issued under secs. 550 - 650 of this chapter
7 are nontransferable, and it is unlawful for any gear which is
8 licensed as provided in this chapter to be operated or caused
9 to be operated by any person other than the licensee. If the
10 operator of the gear is a nonresident, the gear is required
11 to be licensed as nonresident gear and the fees provided for
12 nonresidents shall be paid. "Operator" means the individual
13 by law made responsible for the operation of the vessel. All
14 licenses for fishing gear shall be retained [CARRIED] in the
15 possession of the licensee and readily accessible for inspec-
16 tion at all times.

17 * Sec. 9. AS 20.10.100(a) is amended to read:

18 (a) Upon the conclusion of the hearing, the court shall
19 enter its decree either granting or denying the petition. If
20 the court is satisfied with the identity and relations of the
21 persons, and that the petitioner is of sufficient ability and
22 in all respects a fit and proper person to bring up the child,
23 and all other requirements of this chapter have been met, it
24 shall grant the petition; otherwise it shall deny the petition.
25 However, the child shall be lawfully brought within the juris-
26 isdiction of the court before the entry of the final decree.

27 * Sec. 10. AS 23.10.045(b) is amended to read:

28 (b) Each violation of this section is a separate offense
29 and a person found guilty of a violation is punishable in

1 accordance with the schedule of punishment set out in sec.
2 415 [410] of this chapter.

3 * Sec. 11. AS 28.10.470 is amended to read:

4 Sec. 28.10.470. FILING INSTRUMENTS EVIDENCING LIENS OR
5 ENCUMBRANCES. No conditional sale contract, conditional
6 lease, chattel mortgage, or other lien or encumbrance or title
7 retention instrument upon a registered vehicle, other than a
8 lien dependent upon possession, is valid as against the cred-
9 itor of an owner acquiring a lien by levy or attachment or a
10 subsequent purchaser or encumbrancer without notice until the
11 requirements of secs. 480 - 530 of this chapter [THIS SECTION
12 are complied with.

13 * Sec. 12. AS 28.20.130 is amended to read:

14 Sec. 28.20.130. PAYMENT UPON JUDGMENT. The payment of a
15 judgment arising out of an accident, or the payment upon
16 judgment of an amount equal to the maximum amount which could
17 be required for deposit under this chapter, for the purposes
18 of this chapter, releases the judgment debtor from the
19 liability evidenced by the judgment.

20 * Sec. 13. AS 44.45.100 is amended to read:

21 Sec. 44.45.100. TOURISM ADVISORY BOARD. There is a
22 Tourism Advisory Board in the Department of Economic Develop-
23 ment and Planning [DEPARTMENT OF COMMERCE].

24 * Sec. 14. AS 44.62.330(c) is amended to read:

25 (c) Judicial review and scope of judicial review of all
26 final decisions of the commissioner of labor on an appeal
27 relating to employment security shall be in accord with this
28 chapter notwithstanding anything to the contrary in the Alaska
29 Employment Security Act (AS 23.20). All other procedures of

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the Department of Labor relating to employment security shall be as provided in the Alaska Employment Security Act and the regulations under the Alaska Employment Security Act.

* Sec. 15. AS 26.15.160(3) is amended to read:

(3) No person unless he has lived in the state or territory for at least 10 years following his release from active military service is eligible for the benefits of this section [CHAPTER] who is eligible for veterans' benefits under the laws of any other state or territory. A World War II veteran who received a bonus under secs. 120 and 150 of this chapter need not repay the bonus in order to qualify under the loan provisions of this section.

* Sec. 16. AS 39.15.070(2) is amended to read:

(2) that he is worth double [DOUBE] the amount for which he becomes surety over and above all his debts and liabilities in property located in the state which is not exempt from seizure and sale under execution.

* Sec. 17. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.