

Original sponsor: Senate
Judiciary Committee

Offered: 4/4/63
Referred: Rules

1 IN THE SENATE BY HOUSE JUDICIARY COMMITTEE
2 HOUSE CS FOR 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
7 reflect corrective amendments by the revisor
8 of statutes; and providing for an effective
9 date."

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

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

12 Sec. 04.15.030. STOCK CONFINED TO LICENSED PREMISES.
13 It is unlawful for a licensee to carry for sale any stock of
14 intoxicating liquor except on the premises indicated on his
15 license. However, stocks of beer carried in a delivery truck
16 for the purpose of sale by a licensed wholesaler to others
17 licensed under this title and for the purpose of delivery to
18 their licensed premises are not subject to this section.

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

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

28 * Sec. 3. AS 03.44.010 is amended to read:

29 Sec. 08.44.010. LICENSING AND EXAMINATION OF EMBALMERS.

HCS FOR SB #180 as am
by the House
engrossed

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

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

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

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

22 Sec. 11.40.380. RECEIVING MONEY OR VALUE FOR PROCURING
23 FEMALE FOR IMMORAL PURPOSE. A person who knowingly receives
24 money [,] or other valuable thing [,] for or on the account
25 of procuring and placing a woman in the custody of another
26 person for immoral purposes, with or without her consent, is
27 guilty of a felony, and, upon conviction, is punishable by
28 imprisonment in the penitentiary for a period of not less
29 than two years nor more than 20 years, or by a fine of not

ICS FOR SB #180 as am
by the House
engrossed

1 less than \$1,000 nor more than \$5,000, or by both.

2 * Sec. 6. AS 14.30.110 is amended to read:

3 Sec. 14.30.110. EXEMPTION FROM PHYSICAL EXAMINATION OR
4 VACCINATION. (a) No child is obliged to submit to a physical
5 examination or a vaccination if the parent or guardian of the
6 child objects on grounds of religious principles. The ob-
7 jection shall be in writing, signed by the parent or guardian,
8 and shall be delivered to the child's teacher or to the per-
9 son having authority to order or conduct the physical examina-
10 tion or the vaccination.

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

16 * Sec. 7. AS 16.05.670 is amended to read:

17 Sec. 16.05.670. FISHING GEAR LICENSE IN GENERAL. Fish-
18 ing gear licenses issued under secs. 550 - 650 of this chapter
19 are nontransferable, and it is unlawful for any gear which is
20 licensed as provided in this chapter to be operated or caused
21 to be operated by any person other than the licensee. If the
22 operator of the gear is a nonresident, the gear is required
23 to be licensed as nonresident gear and the fees provided for
24 nonresidents shall be paid. "Operator" means the individual
25 by law made responsible for the operation of the vessel. All
26 licenses for fishing gear shall be retained [CARRIED] in the
27 possession of the licensee and readily accessible for inspec-
28 tion at all times.

29 * Sec. 8. AS 20.10.100(a) is amended to read:

HCS FOR SB #180 as am
by the House
engrossed

1 (a) Upon the conclusion of the hearing, the court shall
2 enter its decree either granting or denying the petition. If
3 the court is satisfied with the identity and relations of the
4 persons, and that the petitioner is of sufficient ability and
5 in all respects a fit and proper person to bring up the child,
6 and all other requirements of this chapter have been met, it
7 shall grant the petition; otherwise it shall deny the petition.
8 However, the child shall be lawfully brought within the juris-
9 isdiction of the court before the entry of the final decree.

10 * Sec. 9. AS 23.10.045(b) is amended to read:

11 (b) Each violation of this section is a separate offense
12 and a person found guilty of a violation is punishable in
13 accordance with the schedule of punishment set out in sec.
14 415 [410] of this chapter.

15 * Sec. 10. AS 28.10.470 is amended to read:

16 Sec. 28.10.470. FILING INSTRUMENTS EVIDENCING LIENS OR
17 ENCUMBRANCES. No conditional sale contract, conditional
18 lease, chattel mortgage, or other lien or encumbrance or title
19 retention instrument upon a registered vehicle, other than a
20 lien dependent upon possession, is valid as against the
21 creditor of an owner acquiring a lien by levy or attachment
22 or a subsequent purchaser or encumbrancer without notice until
23 the requirements of secs. 480 - 530 of this chapter [THIS
24 SECTION] are complied with.

25 * Sec. 11. AS 28.20.130 is amended to read:

26 Sec. 28.20.130. PAYMENT UPON JUDGMENT. The payment of
27 a judgment arising out of an accident, or the payment upon
28 judgment of an amount equal to the maximum amount which could
29 be required for deposit under this chapter, for the purposes

1 of this chapter, releases the judgment debtor from the
2 liability evidenced by the judgment.

3 * Sec. 12. AS 44.45.100 is amended to read:

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

7 * Sec. 13. AS 44.62.330(c) is amended to read:

8 (c) Judicial review and scope of judicial review of all
9 final decisions of the commissioner of labor on an appeal
10 relating to employment security shall be in accord with this
11 chapter notwithstanding anything to the contrary in the
12 Alaska Employment Security Act (AS 23.20). All other pro-
13 cedures of the Department of Labor relating to employment
14 security shall be as provided in the Alaska Employment Se-
15 curity Act and the regulations under the Alaska Employment
16 Security Act.

17 * Sec. 14. AS 26.15.160(3) is amended to read:

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

26 * Sec. 15. AS 39.15.070(2) is amended to read:

27 (2) that he is worth double [DOUBE] the amount
28 for which he becomes surety over and above all his debts
29 and liabilities in property located in the state which is

1 not exempt from seizure and sale under execution.

2 * Sec. 16. AS 42.05.640(2) is amended to read:

3 (2) "public utility" or "utility" includes every
4 corporation, whether municipal, public, cooperative or other-
5 wise, company, individual, or association [ASSOCIATION] of
6 individuals, their lessees, trustees, or receivers appointed
7 by a court, that owns, operates, manages or controls any plant
8 or system for the generation, transmission, or distribution
9 of electric energy and power, for the furnishing of telephone
10 or telegraph communications, for the transmission or distri-
11 bution of heat, natural or manufactured gas, oil or other
12 petroleum products, or water, or for the furnishing of community
13 sewer services, and the plant and facilities used for any of
14 the foregoing purposes; this chapter does not apply to a person
15 who furnishes water or oil or other petroleum products by tank,
16 wagon or similar conveyance, to a public utility which does a
17 gross annual business of less than \$100,000 nor to a municipally
18 owned and operated water or sewer utility; this chapter does
19 not apply to a utility until the legislature adopts specific
20 legislation pursuant to the submission of a report and recom-
21 mendation on the subject by the commission to the first session
22 of the Second State Legislature in January, 1961; this chapter
23 does not apply to a pipeline, plant, system or equipment used
24 primarily for gathering, collecting, transporting or shipping
25 crude oil, natural gas, condensate or other petroleum substance
26 or product produced by or belonging to the owner, operator, or
27 manager of the pipeline, plant, system, or equipment;

28 * Sec. 17. AS 11.20.480 is amended to read:

29 Sec. 11.20.480. DEFRAUDING HOTEL KEEPERS. A person who

HCS for SB #180 as am -6-
by the House
engrossed

1 puts up at a hotel, inn, boardinghouse or lodginghouse and
2 who procures a fare, board or lodging from the owner or
3 keeper by means of a trick, deception or false representation
4 or a false show of baggage or effects, with the intent to
5 cheat or defraud the owner or keeper out of the pay for the
6 fare, board, lodging or accommodation; or [AND] who with
7 that intent absconds, surreptitiously removes, or causes to
8 be removed, baggage or effects from a hotel, inn, boarding-
9 house or lodginghouse without first paying the proper charges
10 due is guilty of a misdemeanor, and upon conviction is
11 punishable by a fine of not more than \$200, or by imprison-
12 ment for not more than six months, or by both. The words
13 "fare, board or lodging" do not include spirituous or malt
14 liquors or intoxicants of any description.

15 * Sec. 18. AS 43.60.010 is amended to read:

16 Sec. 43.60.010. LIQUOR TAX. Every brewer, distiller,
17 bottler, jobber, retailer, wholesaler, or manufacturer who
18 sells intoxicating liquors in the state or who consigns ship-
19 ments of intoxicating liquors into [TO] the state whether or
20 not the liquors are brewed, distilled, bottled, or manufactured
21 in the state, shall pay on all malt beverages (alcoholic
22 content of one per cent or more by volume), wines, and hard
23 or distilled liquors, the following taxes: (1) malt
24 beverages at the rate of 25 cents a gallon, or fraction of a
25 gallon; (2) wine or other liquor of 21 per cent alcohol by
26 volume or less, at the rate of 60 cents a gallon, or fraction
27 of a gallon; and (3) other liquors having a content of more
28 than 21 per cent alcohol by volume at the rate of \$4 [FOUR
29 DOLLARS] a gallon.

HCS FOR SB #180 as am
by the House
engrossed

1 * Sec. 19. This Act takes effect on the day after its passage
2 and approval or on the day it becomes law without such approval.
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HCS FOR SB #180 as am
by the House
engrossed