

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 182

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

11 * Section 1. AS 02.05.090(b) is amended to read:

12 (b) Subject to the provisions of (c) of this section
13 [CHAPTER], unless and until a certificate is modified, sus-
14 pended or revoked, the certificate is effective from the
15 date specified in the certificate, and continues in effect
16 until expiration.

17 * Sec. 2. AS 16.10.240 is amended to read:

18 Sec. 16.10.240. TRANSPORTATION OF KING OR DUNGENESS
19 CRAB. No person may take out of, ship, transport, or send
20 from this state any live King crab, species Paralithodes
21 [PARALITHODES] camtschatica, or live Dungeness crab, species
22 Cancer [CANCER] magister.

23 * Sec. 3. AS 29.10.309 is amended to read:

24 Sec. 29.10.309. LUMP SUM OR INSTALLMENT PAYMENT
25 [ASSESSMENT AND MANNER OF PAYMENT]. The council ordering a
26 local improvement at the expense of the owners of the
27 property benefited may specify whether payment is to be made
28 in one lump sum or by installments, and levy an assessment
29 upon the property benefited for its part, or the whole of the

1 cost as the case may be. However, a lump sum or installment
2 [AN ASSESSMENT] shall not exceed 25 per cent of the assessed
3 valuation of the property affected [ASSESSED].

4 * Sec. 4. AS 39.25.120 is amended to read:

5 Sec. 39.25.120. PARTIALLY EXEMPT SERVICE. The follow-
6 ing positions in the state service constitute the partially
7 exempt service and are subject to this chapter and the rules
8 adopted under it only as specifically provided in this chap-
9 ter. Positions in the partially exempt service shall be
10 included in the position classification plan established
11 under this chapter, and these positions shall be compensated
12 according to the pay plan. Persons holding positions in the
13 partially exempt service are not required to take examina-
14 tions, qualify or earn a place on a register, nor are they
15 eligible for a hearing by the personnel board in case of
16 dismissal, demotion, or suspension. Positions in the parti-
17 ally exempt service are specifically exempt from the rule
18 established under sec. 150(3) - (11), (14), (15), (18) of
19 this chapter. They are also specifically exempt from secs.
20 170 and 180 [150] of this chapter and as stated in sec. 160
21 (a) of this chapter:

22 (1) assistant commissioners of the principal
23 departments of the executive branch;

24 (2) those directors of the major divisions of the
25 principal departments of the executive branch as are speci-
26 fically designated by the governor;

27 (3) attorney members of the staff of the Depart-
28 ment of Law;

29 (4) one private secretary for each head of a

1 principal department in the executive branch;

2 (5) all employees of the office of the governor
3 and the secretary of state, including the staff of the
4 governor's mansion;

5 (6) all employees of the state judicial system,
6 including employees of the Judicial Council.

7 * Sec. 5. AS 39.25.140(a) is amended to read:

8 (a) The director of personnel shall prepare and submit
9 to the commissioner of administration [WITHIN 60 DAYS AFTER
10 APRIL 19, 1960,] any proposed amendments to the personnel
11 rules for all positions and employees subject to this chapter.

12 * Sec. 6. AS 40.15.030 is amended to read:

13 Sec. 40.15.030. DEDICATION OF STREETS, ALLEYS AND
14 THOROUGHFARES. When an area is subdivided and a plat of the
15 subdivision is approved and recorded, all streets, alleys,
16 thoroughfares [THROUGHFARES], parks and other public areas
17 [AREA] shown on the plat are deemed to have been dedicated to
18 public use.

19 * Sec. 7. AS 44.62.350(c) is amended to read:

20 (c) A hearing officer hired after April 29, 1959, except
21 to conduct hearings under [ADMINISTER] the Alaska Employment
22 Security Act (AS 23.20), shall have been admitted to practice
23 law for at least two years immediately before his appointment.

24 * Sec. 8. AS 44.62.460(d) is amended to read:

25 (d) The hearing need not be conducted according to
26 technical rules relating to evidence and witnesses. Relevant
27 evidence shall be admitted if it is the sort of evidence on
28 which responsible persons are accustomed to rely in the
29 conduct of serious affairs, regardless of the existence of a

1 common law or statutory rule which makes improper the
2 admission of the evidence over objection in a civil action.
3 Hearsay evidence may be used to supplement [SUPPLANT] or
4 explain direct evidence but is not sufficient by itself to
5 support a finding unless it would be admissible over objection
6 in a civil action. The rules of privilege are effective to
7 the same extent that they are recognized in a civil action.
8 Irrelevant and unduly repetitious evidence shall be excluded.

9 * Sec. 9. AS 45.55.130(3) is amended to read:

10 (3) "broker-dealer" means a person engaged in the
11 business of effecting transactions in securities for the
12 account of others or for his own account; "broker-dealer" does
13 not include (A) an agent, (B) an issuer, (C) a bank, savings
14 institution, or trust company, [OR] (D) a person who has no
15 place of business in this state if [(1)] he effects trans-
16 actions in this state exclusively with or through (1) the
17 issuers of the securities involved in the transactions (11)
18 [THROUGH] other broker-dealers, or (111) [THROUGH] banks,
19 savings institutions, trust companies, insurance companies,
20 investment companies as defined in the Investment Company Act
21 of 1940, pension or profit-sharing trusts, or other financial
22 institutions or institutional buyers, whether acting for
23 themselves or as trustees [;] , or (E) a person who has no
24 place of business in this state if [(11)] during a period of
25 12 consecutive months he does not direct more than 15 offers
26 to sell or buy into this state in any manner to persons other
27 than those specified in (3) (D) [(1)] of this section whether
28 or not the offeror or an offeree is then present in this state;

29 * Sec. 10. AS 42.25.200 is repealed.

1 * Sec. 11. 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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