

Introduced: 4/1/76  
Referred: Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST  
OF THE LEGISLATIVE COUNCIL

2 **HCS** SENATE BILL, NO. 724 **am H**

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making corrective amendments in the Alaska  
7 Statutes as recommended by the revisor of statutes."

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

9 \* Section 1. AS 14.17.140 is amended to read:

10 Sec. 14.17.140. DETERMINATION OF FULL AND TRUE VALUE BY DEPARTMENT  
11 OF COMMUNITY AND REGIONAL AFFAIRS. To determine the equalized percent-  
12 age to be applied to basic need under sec. 21 of this chapter, and the  
13 matching ratio for required local effort under sec. 71 of this chapter,  
14 the Department of Community and Regional Affairs, in consultation with  
15 the assessor for each district, shall determine the full value of the  
16 taxable real and personal property in each district. Exemptions granted  
17 under ch. 129, SLA 1957, known as 'the Alaska Industrial Incentive Act  
18 (AS 43.25), shall be honored. If there is no local assessor or current  
19 local assessment for a district, then the Department of Community and  
20 Regional Affairs shall make the determination of full value from infor-  
21 mation available. In making the determination, the Department of  
22 Community and Regional Affairs shall be guided by AS 29.53.060 [AS 29.-  
23 10.396]. The determination of full value shall be made before October 1  
24 and sent by certified mail, return receipt requested, before that date  
25 to the president of the school board in each district. Duplicate copies  
26 shall be sent to the commissioner. The governing body of the borough or  
27 city which is the district may obtain judicial review of the determina-  
28 tion by filing a motion in the superior court of the judicial district  
29 in which the district is located within 30 days after receipt of the

1 determination. The superior court may modify the determination of the  
2 Department of Community and Regional Affairs only upon a finding of  
3 abuse of discretion or upon a finding that there is no substantial  
4 evidence to support the determination.

5 \* Sec. 2. AS 16.05.251(12) is amended to read:

6 (12) establishment of the times and dates during which the  
7 issuance of fishing licenses, permits and registrations and the transfer  
8 of permits [PERMIT] and registrations between registration areas is  
9 allowed; however, this paragraph does not apply to permits issued or  
10 transferred under ch. 43 of this title.

11 \* Sec. 3. AS 29.13.100(35) is amended to read:

12 (35) AS 29.58.345 [AS 29.58.340] - 29.58.350 (bonded debt for  
13 school construction)

14 \* Sec. 4. AS 29.58.350(a) is amended to read:

15 (a) To guarantee payment by the state of the principal and inter-  
16 est of bonds issued under the enabling authority of sec. 345 [SEC. 340]  
17 of this chapter, there is in the Department of Community and Regional  
18 Affairs a special fund called the local school bond guarantee fund in  
19 which there shall be deposited all money appropriated by the legislature  
20 for the purpose of the fund and other money which may be made available  
21 for the purpose of the fund from any other source. Money in the fund  
22 shall be held and applied solely to further guarantee and provide an  
23 additional pledge of payment of all bonds issued under the provisions of  
24 sec. 345 [SEC. 340] of this chapter. Money shall not be withdrawn from  
25 the fund if a withdrawal would reduce the amount in the fund to an  
26 amount equal to less than the "maximum debt service reserve" (as defined  
27 in this section), except for payment of interest then due and payable on  
28 bonds and the principal of bonds then maturing and payable and for the  
29 retirement of bonds in accordance with the terms of a contract between

1 the municipality and its bondholders and for the payments on account of  
2 which interest or principal or retirement of bonds other money is not  
3 then available in accordance with the terms of the contract. In this  
4 section "maximum debt service reserve" means, as of any date of computa-  
5 tion, the largest amount of money required by the terms of all contracts  
6 between municipalities and their bondholders as to bonds issued under  
7 sec. 345 [SEC. 340] of this chapter to be raised in any succeeding  
8 calendar year for the payment of interest on and maturing principal of  
9 outstanding bonds and payments required by the terms of the contracts to  
10 sinking funds established for the payment or redemption of the bonds,  
11 all calculated on the assumption that bonds will cease to be outstanding  
12 after the date of the computation by reason of the payment of bonds at  
13 their respective maturities and the payments of the required money to  
14 sinking funds and the application of the money in accordance with the  
15 terms of the contracts to the retirement of bonds.

16 \* Sec. 5. AS 38.05.182 is amended to read:

17       Sec. 38.05.182. ROYALTY ON NATURAL RESOURCES. Any royalty pro-  
18 vided for in secs. 135 - 181 of this chapter may be taken in kind rather  
19 than in money if the commissioner, with the consent of the Alaska  
20 Royalty Oil and Gas Development Advisory Board [BOARD], determines that  
21 the taking in kind would be in the best interest of the state. The  
22 consent of the board is required only with respect to oil and gas  
23 royalty-in-kind under sec. 183 of this chapter.

24 \* Sec. 6. AS 38.05.347 is repealed.

25 \* Sec. 7. AS 39.35.680(14) is amended to read:

26       (14) "peace officer and fireman" means an employee who is  
27 employed full time in the state as a peace officer, chief of police,  
28 correctional officer, correctional superintendent, fish and game field  
29 biologist or [AND] technician, fireman or fire chief;

1 \* Sec. 8. AS 39.37.040(a) is amended to read:

2 (a) An elected public officer may voluntarily retire at any time  
3 and shall have a vested right to his accrued retirement pay if he has  
4 served five years or more. Retirement pay shall not begin until he has  
5 reached age 60, except that an actuarially equivalent retirement pay may  
6 be begun after he has reached age 55 or upon attaining 20 years of  
7 creditable service. The provisions of sec. 30 [SEC. 20] of this chapter  
8 are an exception to this rule.

9 \* Sec. 9. AS 43.05.150(e) is repealed.

10 \* Sec. 10. AS 43.75.130 is amended to read:

11 Sec. 43.75.130. REFUND TO LOCAL GOVERNMENTS. The commissioner of  
12 revenue shall pay to each organized borough and each city of the first  
13 class [, SECOND, AND THIRD CLASSES] 10 per cent of the amount of tax  
14 revenue collected in the borough or city from taxes levied by secs. 10 -  
15 90 of this chapter.

16 \* Sec. 11. AS 43.75.135 is amended to read:

17 Sec. 43.75.135. ADDITIONAL REFUND TO BOROUGH AND CITIES. In  
18 addition to the payment allowed in sec. 130 of this chapter, the commis-  
19 sioner of revenue shall pay to each organized borough 10 per cent of the  
20 amount of tax revenue collected in the borough from taxes levied by  
21 secs. 10 - 90 of this chapter and shall pay to each city of the first  
22 class [, SECOND, AND THIRD CLASSES] located in the unorganized borough  
23 10 per cent of the amount of the tax revenue collected in the city from  
24 taxes levied by secs. 10 - 90 of this chapter.

25 \* Sec. 12. AS 44.33.160 is amended to read:

26 Sec. 44.33.160. LIMITATIONS ON MATCHING MONEY. An applicant that  
27 is qualified to participate under sec. 150 [SEC. 190] of this chapter  
28 may receive one dollar in state matching money for each dollar expended  
29 or committed by the applicant for tourist attractions within the limits

1 of available state appropriations and considering the needs of other  
2 qualified applicants.

3 \* Sec. 13. AS 44.62.330(a)(5) is repealed.

4 \* Sec. 14. AS 45.55.130(12) is amended to read:

5 (12) "security" means a note; stock; treasury stock; bond; de-  
6 benture; evidence of indebtedness; certificate of interest or participa-  
7 tion in any profit-sharing agreement; collateral-trust certificates;  
8 preorganization certificate or subscription; transferable share; invest-  
9 ment contract; voting-trust certificate; certificate of deposit for a  
10 security; a certificate of interest or participation in an oil, gas, or  
11 mining title or lease or in payments out of production under the title  
12 or lease or in any sale of or indenture or bond or contract for the con-  
13 veyance of land or any interest in land; an option on a contract for the  
14 future delivery of agricultural or mineral commodities or any other  
15 commodity offered or sold to the public and not regulated by the Commo-  
16 dity Futures Trading Commission [COMMODITY EXCHANGE AUTHORITY OF THE  
17 UNITED STATES DEPARTMENT OF AGRICULTURE]; however, the contract or  
18 option is not subject to the provisions of sec. 70 of this chapter if it  
19 is sold or purchased on the floor of a bona fide exchange or board of  
20 trade and offered or sold to the public by a broker-dealer or agent  
21 registered under this chapter; investment of money or money's worth  
22 including goods furnished or services performed in the risk capital of a  
23 venture with the expectation of some benefit to the investor where the  
24 investor has no direct control over the investment or policy decision of  
25 the venture; or, in general, any interest or instrument commonly known  
26 as a "security," or any certificate of interest or participation in,  
27 temporary or interim certificate for, receipt for, guarantee of, or  
28 warrant or right to subscribe to or purchase, any of the foregoing;  
29 "security" does not include an insurance or endowment policy or annuity

1 contract under which an insurance company promises to pay a fixed sum of  
2 money either in a lump sum or periodically for life or for some other  
3 specified period;

4 \* Sec. 15. AS 45.55.140(b)(7)(B) is amended to read:

5 (B) the issuer first files a notice specifying the terms  
6 of the offer and the administrator does not by order disallow the  
7 exemption within the next five full business days;

8 \* Sec. 16. AS 45.86.030 is amended to read:

9 Sec. 45.86.030. LOAN FUND SOURCE. Receipts from mineral rentals  
10 and royalties [AND FROM THE ALASKA MINERAL LEASE BONUS PERMANENT FUND,]  
11 shall be appropriated annually and deposited in the water resources  
12 revolving loan fund.

13 \* Sec. 17. AS 06.05.065(a) is amended to read:

14 (a) No officer or employee of the department [DEPARTMENT OF  
15 COMMERCE] who deals with the regulation of lending institutions, or  
16 special agent selected by the department to do work relating to lending  
17 institutions may be an officer, employee, director, trustee, attorney,  
18 stockholder, or partner of a lending institution, or receive directly or  
19 indirectly a payment or gratuity from a lending institution. No person  
20 subject to this section may borrow money from a lending institution ex-  
21 cept as provided in this statute.

22 \* Sec. 18. AS 06.05.235(a), (b) and (c) are amended to read:

23 (a) It is unlawful for a corporation, foreign or domestic, to own,  
24 control or hold with power to vote, 10 per cent or more of the capital  
25 stock of a corporation subject to this chapter. Nothing in this section  
26 prohibits a corporation from qualifying as a domestic bank holding  
27 company as provided in (b) of this section. However, when it becomes a  
28 bona fide necessity to avoid loss for a creditor corporation to accept  
29 shares of stock in the regulated corporation in payment of indebtedness

1 owing to the creditor corporation, shares of stock may be so accepted,  
2 but in this case the shares of the regulated corporation shall be dis-  
3 posed of in accordance with regulations of the commissioner [OF COMMERCE].

4 (b) A domestic bank holding company, as defined in sec. 540 of  
5 this chapter organized under AS 10.05, which maintains its principal  
6 office and place of business in this state and conducts its principal  
7 operations in this state may acquire and own all or any portion of the  
8 voting shares or other capital stock of, or all or substantially all of  
9 the assets of, a corporation which is subject to the regulations of the  
10 commissioner [OF COMMERCE] under the provisions of this chapter. The  
11 holding company may be required to post a bond in an amount equal to the  
12 par value of the stock held by it with the commissioner [OF COMMERCE]  
13 under the conditions he may prescribe to assure full protection to the  
14 public. The holding company shall be subject to an examination by the  
15 commissioner [OF COMMERCE] or a competent person designated by him when  
16 the commissioner considers it necessary, but not less than once each  
17 year. The actual cost of each examination shall be paid to the commis-  
18 sioner by the holding company examined, and the commissioner may main-  
19 tain an action for the recovery of this cost in court.

20 (c) The commissioner [OF COMMERCE] may promulgate regulations  
21 regulating domestic bank holding companies to insure financially sound  
22 banking organization and practice.

23 \* Sec. 19. AS 06.05.540(5) and (8) are amended to read:

24 (5) "commissioner" means the commissioner of commerce and  
25 economic development;

26 (8) "department" means the Department of Commerce and  
27 Economic Development;

28 \* Sec. 20. AS 06.10.030 is amended to read:

29 Sec. 06.10.030. FILING STATEMENT. Prior to engaging in this

1 state in any of the activities specified in sec. 20 of this chapter, a  
2 foreign bank shall execute and file with the commissioner of commerce  
3 and economic development a statement. The statement shall list its  
4 name, state of incorporation or organization and principal place of  
5 business and shall appoint irrevocably the commissioner of commerce and  
6 economic development and his successors its agents upon whom may be  
7 served process against it in any proceeding or cause of action arising  
8 out of its engaging in this state in any of the activities referred to  
9 in the preceding section. Until the statement is filed the immunities  
10 provided by this chapter do not become operative, but failure to file  
11 the statement has no other effect.

12 \* Sec. 21. AS 06.15.010 is amended to read:

13       Sec. 06.15.010. DECLARATION OF POLICY. In providing authority for  
14 the establishment of mutual savings banks it is the intent of the  
15 legislature to make available the benefits of mutual savings banking,  
16 thereby encouraging the practice of thrift and promoting the accumulation  
17 of funds for investment to develop the economy. For the accomplishment  
18 of these purposes, the legislature intends by this chapter to vest in  
19 mutual banks those powers generally possessed by state-chartered mutual  
20 savings banks and to grant authority to the Department of Commerce and  
21 Economic Development to define powers and to promulgate rules and regu-  
22 lations designed to enable mutual savings banks to perform their func-  
23 tions and to carry out the above purposes, subject to the provisions of  
24 the Alaska Banking Code (AS 06.05) which are not inconsistent with this  
25 chapter.

26 \* Sec. 22. AS 06.15.370(1) is amended to read:

27       (1) "department" means the Department of Commerce and  
28 Economic Development;

29 \* Sec. 23. AS 06.20.010 is amended to read:

1           Sec. 06.20.010. LICENSE REQUIRED. No person may engage in the  
2 business of making loans of money, credit, goods, or things in action in  
3 the amount or of the value of \$1,500 or less and charge, contract for,  
4 or receive on the loan a greater rate of interest, discount, or consider-  
5 ation than the lender would be permitted by law to charge if he were not  
6 a licensee hereunder, except as authorized by this chapter and without  
7 first obtaining a license from the Department of Commerce and Economic  
8 Development, hereinafter called the department.

9 \* Sec. 24. AS 06.25.020(3) is amended to read:

10           (3) One copy, together with a certified copy of the bylaws of  
11 the trust company, is filed with the department [DEPARTMENT OF COMMERCE].

12 \* Sec. 25. AS 06.25.030 is amended to read:

13           Sec. 06.25.030. AMENDMENT OF ARTICLES OF INCORPORATION. A trust  
14 company may amend its articles of incorporation in any manner not incon-  
15 sistent with this chapter by a vote of its stockholders representing  
16 two-thirds of the capital stock at a regular meeting or at a special  
17 meeting called for that purpose. A certificate of the fact and terms  
18 of amendment shall be executed in quadruplicate by a majority of the  
19 directors and filed in the same manner as the original articles. A  
20 reduction of capital stock may not be made to an amount less than is  
21 required in this chapter for capital, and no reduction is valid, or  
22 warrants the cancellation of stock certificates, or diminishes the  
23 liability of stockholders until the reduction is approved in writing by  
24 the department [DEPARTMENT OF COMMERCE].

25 \* Sec. 26. AS 06.25.050(a)(1), (2), (3) and (4) are amended to read:

26           (1) All of the capital stock shall be fully paid in cash, and  
27 the affidavit of the president and treasurer, or the president and  
28 cashier of the trust company, setting forth the fact that it has been  
29 paid, subscribed and sworn to before some person authorized to administer

1 oaths, shall be filed with the department [DEPARTMENT OF COMMERCE].

2 (2) A complete and correct list of stockholders, showing the  
3 name, address, and the amount of stock held by each, verified by the  
4 oath of the president and treasurer or president and cashier, or by oath  
5 of any two officers of the trust company, shall be filed with the  
6 department [DEPARTMENT OF COMMERCE].

7 (3) A deposit of securities shall be made with the Department  
8 of Revenue as provided by this chapter and the regulations of the  
9 Department of Commerce and Economic Development.

10 (4) A certificate of authority is issued by the department  
11 [DEPARTMENT OF COMMERCE] to the trust company, authorizing it to engage  
12 in business.

13 \* Sec. 27. AS 06.25.060 is amended to read:

14 Sec. 06.25.060. PENALTY FOR FALSE REPRESENTATION. Any person who  
15 makes or subscribes an affidavit required by sec. 50 of this chapter  
16 which is false, or who makes, prepares or submits or files with the  
17 department [DEPARTMENT OF COMMERCE] a list of the stockholders which is  
18 incorrect, incomplete or false, or who wilfully aids, abets, procures,  
19 encourages or induces another to make or subscribe to a false affidavit,  
20 or to make, prepare, submit or file an incorrect, incomplete or false  
21 list, is guilty of a felony and upon conviction is punishable by a fine  
22 of not less than \$1,000 nor more than \$5,000, or by imprisonment for not  
23 less than one year nor more than five years, or by both.

24 \* Sec. 28. AS 06.25.080 is amended to read:

25 Sec. 06.25.080. POWERS UNDER GENERAL CORPORATION LAW. Subject to  
26 the limitations of law and regulations of the department [DEPARTMENT OF  
27 COMMERCE], a trust company has the powers conferred by the general  
28 corporation laws of the state.

29 \* Sec. 29. AS 06.25.100 is amended to read:

1           Sec. 06.25.100. BANKING PRIVILEGES. A trust company may discount  
2 and negotiate promissory notes, drafts, bills of exchange and other  
3 evidences of indebtedness, buy and sell exchange, coin, and bullion,  
4 lend money on real or personal securities, and receive deposits of money,  
5 securities or other personal property from any person or corporation  
6 upon any terms which the trust company may prescribe and which are not  
7 in violation of the laws of the state or the regulations of the depart-  
8 ment [DEPARTMENT OF COMMERCE].

9 \* Sec. 30. AS 06.25.110 is amended to read:

10           Sec. 06.25.110. DEALING IN REAL ESTATE. A trust company may  
11 lease, hold, purchase and convey real property necessary in the trans-  
12 action of its business or which the purposes of the corporation may  
13 require or which it acquires in satisfaction of debts due, to secure  
14 debts, or through sales under any judgment, decree or mortgage held by  
15 it, and the real estate shall be held, managed and disposed of as pro-  
16 vided in sec. 240 of this chapter and the regulations of the department  
17 [DEPARTMENT OF COMMERCE].

18 \* Sec. 31. AS 06.25.220 is amended to read:

19           Sec. 06.25.220. LAW GOVERNING. The powers specified in secs. 80 -  
20 210 of this chapter shall be exercised under restrictions, rules and  
21 regulations promulgated by the department [DEPARTMENT OF COMMERCE] for  
22 the regulation of trust companies.

23 \* Sec. 32. AS 06.25.230 is amended to read:

24           Sec. 06.25.230. DEPOSIT OF SECURITIES WITH DEPARTMENT OF REVENUE.  
25 A trust company shall keep on deposit with the Department of Revenue  
26 interest [AND] or dividend bearing stocks or bonds of the United States  
27 or of the State of Alaska, or of any city of this state, or such other  
28 interest [AND] or dividend bearing stocks, bonds or securities approved  
29 by the Department of Commerce and Economic Development, in value of 20

1 per cent of its capital stock. The securities so deposited may not be of  
2 less value than \$5,000. The securities shall be registered in the name  
3 of the Department of Revenue, in trust for the creditors of and deposi-  
4 tors with the trust company, subject to sale and transfer and to the  
5 disposal of the proceeds thereof, by the Department of Revenue, only on  
6 the order of a court of competent jurisdiction. The trust company, so  
7 long as it continues solvent and complies with the laws of the state,  
8 may be permitted by the Department of Commerce and Economic Development  
9 to collect the interest and dividends on the securities and from time to  
10 time exchange the securities for others of equal value. All securities  
11 before they may be accepted by the Department of Revenue for filing  
12 under this section shall be approved by the Department of Commerce and  
13 Economic Development. A trust company that is a member of the Federal  
14 Deposit Insurance Corporation or whose deposits are insured in whole or  
15 in part by an agency of the United States is exempt from the requirements  
16 of this section.

17 \* Sec. 33. AS 06.25.240(b)(2) is amended to read:

18 (2) the department [DEPARTMENT OF COMMERCE], upon written  
19 application by the board of directors of the trust company, extends the  
20 time within which the sale may be made.

21 \* Sec. 34. AS 06.25.270(a) is amended to read:

22 (a) Whenever the department [DEPARTMENT OF COMMERCE] makes demand  
23 upon a trust company to make good an impairment of capital, the directors  
24 of the trust company shall immediately serve notice of the demand and  
25 the amount of the assessment upon each stockholder by a written or  
26 printed notice mailed to each stockholder at his place of residence or  
27 served upon him personally.

28 \* Sec. 35. AS 06.25.280(b) is amended to read:

29 (b) Directors shall be elected by the stockholders and hold office

1 for one year or until their successors are elected and qualified. A  
2 majority of the board of directors shall be bona fide residents of the  
3 state and a majority constitutes a quorum for the transaction of busi-  
4 ness. The first board of directors shall be elected at the meeting held  
5 before the trust company is authorized by the department [DEPARTMENT OF  
6 COMMERCE] to do business, and thereafter at the annual meeting of the  
7 stockholders, which shall be held at the times and places designated in  
8 the bylaws. If for any reason no election is held at the times and  
9 places designated in the bylaws, an election may be held at an adjourned  
10 meeting or at a subsequent special meeting called for that purpose.  
11 Notice of the special meeting shall be given in the manner prescribed in  
12 this chapter or the bylaws of the trust company. At all meetings of the  
13 stockholders each share is entitled to one vote and any stockholder may  
14 vote by proxy in writing duly executed by him.

15 \* Sec. 36. AS 06.25.300 is amended to read:

16 Sec. 06.25.300. OATH OF DIRECTORS. Each director shall take an  
17 oath that he will, so far as his duty devolves of him, diligently and  
18 honestly administer the affairs of the trust company, and will not  
19 knowingly violate, or willingly permit to be violated, any provision of  
20 law applicable to the trust company, and that he is the owner in good  
21 faith and in his own right of at least the number of shares of stock  
22 required by sec. 280 of this chapter, subscribed by him or standing in  
23 his name on the books of the trust company and that the stock is not  
24 hypothecated, or in any way pledged as security for any loan or debt,  
25 and, in case of re-election or reappointment, that the stock was not  
26 hypothecated, or in any way pledged as security for any loan or debt  
27 during his previous term. The oath shall be subscribed by the director  
28 and certified by an officer authorized by law to administer oaths, and  
29 immediately filed with the department [DEPARTMENT OF COMMERCE].

1 \* Sec. 37. AS 06.25 is amended by adding a new section to read:

2 ARTICLE 4. GENERAL PROVISIONS.

3 Sec. 06.25.350. DEFINITIONS. In this chapter, "department" means  
4 the Department of Commerce and Economic Development.

5 \* Sec. 38. AS 06.30.005 is amended to read:

6 Sec. 06.30.005. DIVISION OF SAVINGS ASSOCIATION. There is created  
7 a division of savings associations in the Department of Commerce and  
8 Economic Development. The commissioner of commerce and economic  
9 development shall administer the division. The commissioner may appoint  
10 a director of savings associations to act under his direction.

11 \* Sec. 39. AS 08.01.050 is amended to read:

12 Sec. 08.01.050. ADMINISTRATIVE DUTIES OF DEPARTMENT. The Depart-  
13 ment of Commerce and Economic Development shall provide the following  
14 administrative and budgetary services for the boards:

- 15 (1) collect fees and issue receipts;
- 16 (2) maintain records and files;
- 17 (3) issue and receive application forms;
- 18 (4) notify applicants of acceptance or rejection of appli-  
19 cants as determined by the board;
- 20 (5) designate dates examinations are to be held and notify  
21 applicants;
- 22 (6) publish notice of examination;
- 23 (7) arrange space for holding examinations;
- 24 (8) notify applicants of results of examinations;
- 25 (9) issue licenses and certificates or temporary licenses or  
26 certificates as authorized by the board;
- 27 (10) issue duplicate licenses or certificates upon proof of  
28 loss of the original and payment of a fee of \$2;
- 29 (11) notify licensees of renewal dates at least 30 days before

1 the expiration date of their licenses;

2 (12) compile and maintain current a register of licenses;

3 (13) answer routine inquiries;

4 (14) maintain files relating to individual licensees;

5 (15) arrange for printing and advertising;

6 (16) purchase supplies;

7 (17) employ secretarial help when needed;

8 (18) perform other services which may be requested by the

9 board.

10 \* Sec. 40. AS 08.01.110(2) is amended to read:

11 (2) "department" means the Department of Commerce and  
12 Economic Development.

13 \* Sec. 41. AS 08.18.171(1) is amended to read:

14 (1) "commissioner," unless the text reads otherwise, means  
15 the commissioner of the Department of Commerce and Economic Development;

16 \* Sec. 42. AS 08.24.011 is amended to read:

17 Sec. 08.24.011. COLLECTION AGENCY BOARD. There is created a Col-  
18 lection Agency Board consisting of three members, two of whom shall be  
19 appointed by the governor. The board shall consist of two persons en-  
20 gaged in the collection agency business within the state and licensed  
21 under this chapter. The third member shall be designated by the commis-  
22 sioner of commerce and economic development from his staff.

23 \* Sec. 43. AS 08.24.160 is amended to read:

24 Sec. 08.24.160. FORM OF BOND. The bond required by secs. 140 and  
25 150 of this chapter shall be in the form substantially as follows:

26 BOND

27 Know all Men by These Presents that we,....., as  
28 principal, and.....as surety, are held and firmly bound to  
29 the State of Alaska, in the penal sum of \$....., lawful money

1 of the United States, for the payment of which we bind ourselves,  
2 our heirs, executors, administrators, successors and assigns  
3 jointly and severally.

4 The condition of this obligation is such that whereas, the  
5 bonded principal, named above, has applied to the Department of  
6 Commerce and Economic Development of the State of Alaska for a  
7 collection agency license under the provisions of AS 08.24  
8 and is required by the provisions of that law to furnish a bond  
9 conditioned as herein set out.

10 Now, therefore, if....., within 30 days after the  
11 close of each fiscal or calendar month, reports and pays to  
12 customers the net proceeds due and payable of all collections  
13 made during that calendar or fiscal month which exceed \$20,  
14 and strictly, honestly and faithfully complies with the provi-  
15 sions of AS 08.24 and all amendments to it and regulations  
16 adopted under it, then this obligation is void, otherwise to  
17 remain in full force and effect.

18 This bond becomes effective on the ..... day of.....,  
19 19.... . The surety may be relieved of future liability under  
20 it by giving 60 days' written notice to the principal and to  
21 the Department of Commerce and Economic Development of the State  
22 of Alaska.

23 This bond is one continuing obligation and the liability  
24 of the surety for the aggregate of all claims which may arise  
25 under it may in no event exceed the amount of the penalty set  
26 out in it.

27 IN WITNESS WHEREOF we have hereunto set our hands and  
28 seals at ....., Alaska, this ..... day of .....,  
29 19.... .

1 (SEAL) .....Principal

2 (SEAL) .....Surety

3 \* Sec. 44. AS 08.24.210 is amended to read:

4 Sec. 08.24.210. ANNUAL STATEMENT OF COLLECTION. Each collection  
5 agency licensee shall, not later than January 31 of each calendar year,  
6 file with the department a verified annual statement for the preceding  
7 calendar year, showing the respective amounts of all customers' money  
8 collected by the licensee during the preceding calendar year, which has  
9 not previously been remitted to the customers entitled to it or properly  
10 accounted for, and showing also the amounts of money which the licensee  
11 has on deposit in a bank or in the licensee's possession for the purpose  
12 of liquidating any and all amounts due to customers. The statement  
13 shall contain the name and address of the bank. The annual statement  
14 shall be made substantially in the following form:

15 ANNUAL STATEMENT TO DEPARTMENT OF COMMERCE  
16 AND ECONOMIC DEVELOPMENT

17 Pursuant to AS 08.24.210 the undersigned, .....,  
18 licensed under AS 08.24 to conduct a collection agency business,  
19 hereby declares that the amount of money collected during the  
20 preceding calendar year by the undersigned, as a licensee  
21 under AS 08.24, which has not been remitted to a customer or  
22 properly accounted for is \$.....; and that the amount on de-  
23 posit with all banks for the purpose of liquidating all amounts  
24 to customers is \$..... .

25 The attached schedule contains a true statement of the name  
26 and address of each customer of the undersigned to whom there  
27 was due or owing at the end of the preceding calendar year on  
28 account of collections made during the preceding calendar year  
29 the aggregate sum of \$20 or more.

1 IN WITNESS WHEREOF, the undersigned has executed this  
2 statement on this ..... day of ....., 19.... .

3 (name of licensee) .....

4 (signature) .....

5 (capacity) .....

6 VERIFICATION

7 STATE OF ALASKA )

8 ss

9 THIRD DISTRICT )

10 I, the undersigned, being first sworn, do on oath depose  
11 and say: That I executed the within annual statement as the  
12 licensee named in it or on behalf of the licensee named in it,  
13 as the operator, director, or officer of the licensee named in it,  
14 as indicated in it; that I have read the statement and know  
15 its contents; and that the statement is true.

16 .....

17 Subscribed and sworn to before me this ..... day of  
18 ....., 19 .... .

19 Notary Public in and for Alaska

20 My commission expires:

21 \* Sec. 45. AS 08.24.380(2) is amended to read:

22 (2) "department" means the Department of Commerce and  
23 Economic Development;

24 \* Sec. 46. AS 08.48.071(a) is amended to read:

25 (a) The following record of the board's proceedings and of all  
26 applications for registration or authorization shall be kept by the  
27 Department of Commerce and Economic Development under AS 08.01.050:

28 (1) the name, age and last known address of each applicant;

29 (2) the date of application;

- 1 (3) the place of business of the applicant;  
2 (4) the education, experience and other qualifications;  
3 (5) the type of examination required;  
4 (6) whether or not the applicant was rejected;  
5 (7) whether or not a certificate of registration or authori-  
6 zation was granted or endorsed;  
7 (8) the date of the action of the board;  
8 (9) other action taken by the board;  
9 (10) other information which may be considered necessary by  
10 the board.

11 \* Sec. 47. AS 08.54.200(e) is amended to read:

12 (e) If the board revokes a license it shall notify the Department  
13 of Revenue, and the person whose license has been revoked shall return  
14 the license to the Department of Commerce and Economic Development.

15 \* Sec. 48. AS 08.62.200(2) and (3) are amended to read:

16 (2) "commissioner" means the commissioner of the Department  
17 of Commerce and Economic Development;

18 (3) "department" means the Department of Commerce and  
19 Economic Development;

20 \* Sec. 49. AS 08.68.111(a) is amended to read:

21 (a) The Department of Commerce and Economic Development, in con-  
22 sultation with the Board of Nursing, shall employ a licensed, registered  
23 nurse, who is not a member of the board, to serve as executive officer  
24 of the board.

25 \* Sec. 50. AS 08.70.090 is amended to read:

26 Sec. 08.70.090. APPLICATION. Applicants shall file applications  
27 with the Department of Commerce and Economic Development on forms pro-  
28 vided by the department. Information requested on the forms shall be  
29 given under oath.

1 \* Sec. 51. AS 08.70.180(2) is amended to read:

2 (2) "department" means the Department of Commerce and  
3 Economic Development;

4 \* Sec. 52. AS 08.71.240(2) is amended to read:

5 (2) "department" means the Department of Commerce and  
6 Economic Development;

7 \* Sec. 53. AS 08.72.300(6) is amended to read:

8 (6) "department" means the Department of Commerce and  
9 Economic Development.

10 \* Sec. 54. AS 08.84.100(a) is amended to read:

11 (a) A registered physical therapist or physical therapy assistant  
12 shall renew his registration biennially with the Department of Commerce  
13 and Economic Development on or before the date set by the department  
14 under AS 08.01.100(a). If the registration is not renewed on or before  
15 that date, it lapses.

16 \* Sec. 55. AS 08.86.230(4) is amended to read:

17 (4) "department" means the Department of Commerce and  
18 Economic Development;

19 \* Sec. 56. AS 08.88.031 is amended to read:

20 Sec. 08.88.031. EXECUTIVE SECRETARY OF COMMISSION. The commis-  
21 sioner of commerce and economic development shall appoint a full-time  
22 staff administrator and delineate his authority and duties. He shall  
23 serve as the executive secretary of the Real Estate Commission.

24 \* Sec. 57. AS 08.88.061 is amended to read:

25 Sec. 08.88.061. ASSISTANTS. The commission, with the approval of  
26 the commissioner of commerce and economic development, may employ  
27 assistants to

28 (1) prepare questions on examinations;

29 (2) grade examinations;

1 (3) investigate alleged violations of this chapter.

2 \* Sec. 58. AS 08.88.431(3) is amended to read:

3 (3) "department" means the Department of Commerce and  
4 Economic Development;

5 \* Sec. 59. AS 08.98.030 is amended to read:

6 Sec. 08.98.030. EXECUTIVE SECRETARY OF BOARD. The commissioner of  
7 commerce and economic development is the executive secretary of the  
8 board.

9 \* Sec. 60. AS 08.98.250(3) is amended to read:

10 (3) "department" means the Department of Commerce and  
11 Economic Development.

12 \* Sec. 61. AS 10.05.051(b) is amended to read:

13 (b) If the commissioner [OF COMMERCE] finds that the verified  
14 statement complies with this chapter, he shall file it in his office.  
15 The change becomes effective when the statement is filed.

16 \* Sec. 62. AS 10.05.825(1) and (3) are amended to read:

17 (1) "commissioner" means the commissioner of commerce and  
18 economic development;

19 (3) "department" means the Department of Commerce and  
20 Economic Development;

21 \* Sec. 63. AS 10.10.010 is amended to read:

22 Sec. 10.10.010. INCORPORATORS. Three or more persons, who are  
23 residents of this state, who desire to create an industrial development  
24 corporation under this chapter for the purpose of promoting, developing,  
25 and advancing the prosperity and economic welfare of the state and, to  
26 that end, to exercise the powers and privileges provided in this chap-  
27 ter, may be incorporated by filing articles of incorporation in the  
28 office of the commissioner [OF COMMERCE] as provided in this chapter.

29 \* Sec. 64. AS 10.10.020 is amended to read:

1           Sec. 10.10.020. ASSISTANCE OF COMMISSIONER [OF ECONOMIC DEVELOP-  
2           MENT]. The commissioner [OF ECONOMIC DEVELOPMENT] shall assist the  
3           incorporators in forming the corporation and shall meet with and advise  
4           the corporation's board of directors.

5           \* Sec. 65. AS 10.10.030(b) and (c) are amended to read:

6           (b) The articles of incorporation shall be in writing subscribed  
7           by not less than three natural persons competent to contract and acknow-  
8           ledged by each of the subscribers before an officer authorized to take  
9           acknowledgments and filed in duplicate originals in the office of the  
10          commissioner [OF COMMERCE] for approval.

11          (c) The commissioner [OF COMMERCE] may not approve articles of  
12          incorporation for a corporation organized under this chapter until a  
13          total of at least seven financial institutions authorized to do business  
14          within this state have agreed in writing to become members of the cor-  
15          poration, and the agreement in writing is filed with the commissioner  
16          [OF COMMERCE] together with the articles of incorporation. When the  
17          articles of incorporation have been filed in the office of the commis-  
18          sioner [OF COMMERCE] and approved by him, he shall

19                 (1) endorse on each duplicate original the word "filed," and  
20                 the date of the filing;

21                 (2) file one duplicate original in his office;

22                 (3) issue a certificate of incorporation and affix the other  
23                 duplicate original to it;

24                 (4) return to the incorporators or their representative the  
25                 certificate of incorporation, together with the duplicate original of  
26                 the articles of incorporation affixed.

27          \* Sec. 66. AS 10.10.040(8) is amended to read:

28                 (8) to cooperate with and avail itself of the facilities of  
29                 the United States Department of Commerce, the state Department of

1 Commerce and Economic Development, and any other state or federal  
2 governmental agencies; and to cooperate with and assist, and otherwise  
3 encourage organizations in the various communities of the state in the  
4 promotion, assistance, and development of the business prosperity and  
5 economic welfare of such communities or of this state or of any part of  
6 the state;

7 \* Sec. 67. AS 10.10.110(b) and (c) are amended to read:

8 (b) Within 30 days after a meeting at which an amendment of the  
9 articles of incorporation has been adopted, articles of amendment signed  
10 and sworn to by the president, treasurer, and a majority of the direc-  
11 tors, setting out the amendment and adoption of the amendment, shall be  
12 submitted in duplicate originals to the commissioner [OF COMMERCE] who  
13 shall examine them, and if he finds that they conform to the require-  
14 ments of this chapter, shall

15 (1) endorse on each duplicate original the word "filed," and  
16 the date of the filing;

17 (2) file one duplicate original in his office;

18 (3) issue a certificate of amendment and affix the other  
19 duplicate original to it;

20 (4) return to the corporation or its representative the  
21 certificate of amendment, together with the duplicate articles of amend-  
22 ment affixed.

23 (c) Upon the issuance of a certificate of amendment by the commis-  
24 sioner [OF COMMERCE], the amendment becomes effective.

25 \* Sec. 68. AS 10.10.210 is amended by adding a new paragraph to read:

26 (6) "commissioner" means the commissioner of commerce and  
27 economic development.

28 \* Sec. 69. AS 10.15.595(3) and (7) are amended to read:

29 (3) "commissioner" means the commissioner of commerce and

1 economic development;

2 (7) "department" means the Department of Commerce and  
3 Economic Development;

4 \* Sec. 70. AS 10.20.036(b) is amended to read:

5 (b) If the commissioner [OF COMMERCE] finds that the verified  
6 statement complies with this chapter, he shall file it in his office.  
7 The change becomes effective when the statement is filed.

8 \* Sec. 71. AS 10.20.720(1) and (3) are amended to read:

9 (1) "commissioner" means commissioner of commerce and  
10 economic development;

11 (3) "department" means the Department of Commerce and  
12 Economic Development;

13 \* Sec. 72. AS 10.25.640(1) is amended to read:

14 (1) "commissioner" means the commissioner of commerce and  
15 economic development;

16 \* Sec. 73. AS 10.35.090(1) is amended to read:

17 (1) "commissioner" means the commissioner of commerce and  
18 economic development;

19 \* Sec. 74. AS 10.40.030 is amended to read:

20 Sec. 10.40.030. FILING OF ARTICLES OF INCORPORATION. One copy of  
21 the articles shall be filed with the Department of Commerce and  
22 Economic Development; one copy shall be filed in the office of the clerk  
23 of the superior court in the judicial district in which the principal  
24 place of business of the corporation is to be located; and one copy  
25 shall be retained by the corporation. Each copy filed shall be recorded  
26 in a book kept for that purpose.

27 \* Sec. 75. AS 10.40.090 is amended to read:

28 Sec. 10.40.090. FILING IMPRESSION OF SEAL. An impression of the  
29 corporate seal shall be filed with the Department of Commerce and

1        Economic Development.

2        \* Sec. 76. AS 10.45.010(a) is amended to read:

3            (a) One or more persons each of whom is licensed to render a pro-  
4        fessional service in this state may incorporate a professional corpora-  
5        tion by filing articles of incorporation with the Department of Commerce  
6        and Economic Development. The articles shall meet the requirements of  
7        the Alaska Business Corporation Act (AS 10.05) and, in addition, shall  
8        include

9            (1) the name of the profession to be practiced by the corpora-  
10        tion;

11            (2) the names and addresses of all original shareholders,  
12        directors, and officers;

13            (3) the address where the professional corporation will have  
14        its office.

15        \* Sec. 77. AS 18.45.030(6) is amended to read:

16            (6) the Department of Commerce and Economic Development parti-  
17        cularly as to the insurance of persons and property from hazards to life  
18        and property resulting from atomic development;

19        \* Sec. 78. AS 18.56.020 is amended to read:

20            Sec. 18.56.020. ALASKA HOUSING FINANCE CORPORATION. The Alaska  
21        Housing Finance Corporation is a public corporation and government in-  
22        strumentality within the Department of Commerce and Economic Development  
23        but having a legal existence independent of and separate from the state.  
24        The corporation may not be terminated as long as it has bonds, notes or  
25        other obligations outstanding. Upon termination of the corporation, its  
26        rights and property pass to the state.

27        \* Sec. 79. AS 18.56.030 is amended to read:

28            Sec. 18.56.030. CORPORATION GOVERNING BODY. The corporation shall  
29        be governed by a board of directors, consisting of the commissioner of

1 commerce and economic development and six members appointed by the  
2 governor. Members serve without compensation except that each member  
3 may be reimbursed by the corporation for actual and necessary expenses  
4 at the same rate as set out in AS 39.20.180.

5 \* Sec. 80. AS 23.15.617(a)(4) is amended to read:

6 (4) the commissioner of commerce and economic development or  
7 his representative;

8 \* Sec. 81. AS 37.15.110 is amended to read:

9 Sec. 37.15.110. CREATION AND MEMBERSHIP OF STATE BOND COMMITTEE.  
10 There is created a committee known as the "state bond committee," the  
11 members of which are the commissioner of commerce and economic  
12 development, the commissioner of administration, and the commissioner of  
13 revenue. If a member of the committee is absent or otherwise unable to  
14 act, his designee in the department shall act as a member of the com-  
15 mittee in his place.

16 \* Sec. 82. AS 37.15.130 is amended to read:

17 Sec. 37.15.130. OFFICERS, RECORDS AND PROCEEDINGS. The commis-  
18 sioner of commerce and economic development is the chairman of the state  
19 bond committee and the commissioner of revenue is the secretary. A  
20 majority of the members of the committee constitute a quorum. The com-  
21 mittee shall keep a full, complete, and permanent record of its  
22 proceedings. All records and correspondence of the committee shall be  
23 kept in the office of the commissioner of revenue.

24 \* Sec. 83. AS 42.05.010 is amended to read:

25 Sec. 42.05.010. ALASKA PUBLIC UTILITIES COMMISSION CREATED. There  
26 is created within the Department of Commerce and Economic Development  
27 the Alaska Public Utilities Commission.

28 \* Sec. 84. AS 42.05.351 is amended to read:

29 Sec. 42.05.351. TESTING OF APPLIANCES. The commission shall pro-

1 vide for the examination and testing of appliances used for the  
2 measuring of a service of a public utility and may purchase equipment,  
3 apparatus, and standards required for this purpose. The commissioner of  
4 commerce and economic development may assign the examination and testing  
5 function to the section of weights and measures. Upon the payment of a  
6 reasonable fee established by the commission, a consumer may have the  
7 appliance, which is used by him, tested. The commission shall establish  
8 by regulation allowable tolerances with respect to the functioning or  
9 operation of the appliance. If the measuring appliance does not perform  
10 within these tolerances, the utility concerned shall pay the costs of  
11 the test by reimbursing the person requesting the test for the fee paid  
12 by him. This reimbursement shall be made no later than at the time of  
13 the next regular billing following the test.

14 \* Sec. 85. AS 42.06.020 is amended to read:

15 Sec. 42.06.020. ALASKA PIPELINE COMMISSION CREATED. There is  
16 created within the Department of Commerce and Economic Development the  
17 Alaska Pipeline Commission, to regulate pipeline facilities and pipeline  
18 carriers. to regulate the access of information concerning pipeline  
19 facilities and carriers to this state, and to represent the interests of  
20 the state in any proceedings relating to them as provided for in this  
21 chapter.

22 \* Sec. 86. AS 42.07.011(a) is amended to read:

23 (a) There is created the Alaska Transportation Commission within  
24 the Department of Commerce and Economic Development. The commission  
25 consists of three members appointed by the governor and confirmed by the  
26 legislature in joint session.

27 \* Sec. 87. AS 43.25.050(a) is amended to read:

28 (a) The commissioner of commerce and economic development [AND  
29 PLANNING] shall appoint the personnel necessary to carry out this chap-

1 ter. The commissioner shall make arrangements for such public hearings  
2 as he considers necessary and shall require an applicant for tax exemp-  
3 tion to present evidence that will justify the exemption.

4 \* Sec. 88. AS 43.25.150(a)(2) is amended to read:

5 (2) "department" means Department of Commerce and Economic  
6 Development;

7 \* Sec. 89. AS 43.26.010 is amended to read:

8 Sec. 43.26.010. TAX CREDITS AUTHORIZED. (a) A person who has  
9 established and owns or proposes to establish and own an eligible  
10 business is entitled to a tax credit not to exceed 50 per cent of the  
11 value of the investment made in the business as of the date it commenced  
12 operation. The grant of tax credit shall be effective for a period,  
13 established by the commissioner of commerce and economic development, not  
14 to exceed 10 years from the date of grant and shall be applied against  
15 the amount of certain taxes, as determined by the department, due the  
16 state during that period as a result of the development, organization,  
17 construction, establishment and operation of the specific business for  
18 which the credit is granted. The unused portion of a tax credit author-  
19 ized under this chapter shall be forfeited at the expiration of the  
20 period of credit for which the grant was made. Only one grant of tax  
21 credit shall be made for an eligible business, irrespective of transfer  
22 of the business or other circumstances. If a tax for which credit is  
23 given under this chapter produces revenue shared with local political  
24 subdivisions, the state shall pay to any affected subdivision the amount  
25 of revenue it would receive had the tax credit not been given.

26 (b) The commissioner of commerce and economic development may by  
27 regulation classify and exclude from investments qualifying for tax  
28 credit under this chapter investments in an eligible business which are  
29 not of substantial benefit to the state in furthering the purposes of

1 industrial development. Adoption, amendment or modification of  
2 regulations under this subsection is not subject to the procedural  
3 requirements of AS 44.62.180 - 44.62.290.

4 \* Sec. 90. AS 43.26.040(a) is amended to read:

5 (a) The commissioner of commerce and economic development shall  
6 appoint the personnel necessary to carry out this chapter. The commis-  
7 sioner shall make arrangements for such public hearings as he considers  
8 necessary and shall require an applicant for a tax credit to present  
9 evidence that will justify the credit.

10 \* Sec. 91. AS 43.26.095(a)(2) is amended to read:

11 (2) The department shall set up procedures to be followed by  
12 the person seeking tax credit status under this section and shall certi-  
13 fy to the Department of Commerce and Economic Development those persons  
14 qualifying for this status. In no case may the Department of Commerce  
15 and Economic Development grant tax credit status to a person coming  
16 under the provisions of this section without first receiving certifica-  
17 tion from the department nor continue this status after revocation of  
18 certification by the department.

19 \* Sec. 92. AS 43.26.100(1) is amended to read:

20 (1) "department" means the Department of Commerce and  
21 Economic Development, except as provided in sec. 95 of this chapter;

22 \* Sec. 93. AS 43.26.100(2)(A) is amended to read:

23 (A) an industrial unit having as its object the produc-  
24 tion on a commercial scale in the state of a manufactured product  
25 which was not produced on a commercial scale before July 1, 1968,  
26 and for which there were on that date in the same competitive area  
27 in the state as defined by the commissioner of commerce and econo-  
28 mic development, no production facilities capable of the production  
29 of that manufactured product on a commercial scale;

1 \* Sec. 94. AS 44.15.010(8) is amended to read:

2 (8) Department of Commerce and Economic Development

3 \* Sec. 95. AS 44.33.010 is amended to read:

4 Sec. 44.33.010. COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT.

5 The principal executive officer of the Department of Commerce and  
6 Economic Development is the commissioner of commerce and economic  
7 development.

8 \* Sec. 96. AS 44.33.020 is amended to read:

9 Sec. 44.33.020. DUTIES OF DEPARTMENT. The Department of Commerce  
10 and Economic Development shall

11 (1) administer the state programs relating to commerce, en-  
12 force the laws relating to these programs, and adopt regulations under  
13 these laws;

14 (2) register corporations;

15 (3) collect corporation franchise taxes;

16 (4) enforce state laws regulating public utilities and other  
17 public service enterprises, banking and securities, insurance, and other  
18 businesses and enterprises touched with a public interest;

19 (5) make veterans' loans;

20 (6) inspect weights and measures;

21 (7) promote and develop civil aviation; [AND]

22 (8) furnish the budgeting, clerical and administrative ser-  
23 vices for regulatory agencies and professional and occupational licensing  
24 boards not otherwise provided for;

25 (9) operate motor vehicle weighing stations and enforce high-  
26 way weight and load limitations;

27 (10) Repealed by Executive Order No. 33 (1968);

28 (11) before the commencement of each calendar quarter, furnish  
29 lending institutions, title insurance companies, mortgage companies and

1 clerks of the respective superior courts with the 12th Federal Reserve  
2 District discount rate which is to be used during that calendar quarter  
3 for computing the maximum rate of interest under AS 45.45.010(b);

4 (12) conduct studies, enter into contracts and agreements, and  
5 make surveys relating to the economic development of the state and,  
6 when appropriate, assemble, analyze, and disseminate the findings ob-  
7 tained;

8 (13) provide factual information and technical assistance for  
9 potential industrial and commercial investors;

10 (14) receive gifts, grants, and other aid that facilitate the  
11 powers and duties of the department from agencies and instrumentalities  
12 of the United States or other public or private sources;

13 (15) establish and activate programs to achieve balanced  
14 economic development in the state and advise the governor on economic  
15 development policy matters;

16 (16) formulate a continuing program for basic economic  
17 development and for the necessary promotion, planning and research which  
18 will advance the economic development of the state;

19 (17) cooperate with private, governmental and other public  
20 institutions and agencies in the execution of economic development pro-  
21 grams;

22 (18) review the programs and annual reports of other depart-  
23 ments and agencies as they are related to economic development and pre-  
24 pare an annual report on the economic growth of the state;

25 (19) administer the economic development programs of the  
26 state;

27 (20) perform all other duties and powers necessary or proper  
28 in relation to economic development and planning for the state.

29 \* Sec. 97. AS 44.33.030 is amended to read:

1           Sec. 44.33.030. SECTION OF POWER DEVELOPMENT IN DEPARTMENT OF  
2           COMMERCE AND ECONOMIC DEVELOPMENT. There is a section of power develop-  
3           ment in the Department of Commerce and Economic Development to conserve,  
4           develop, and use the water and other electric power resources of the  
5           state, to make an abundant supply of electric power and energy available  
6           to the people of the state at the lowest possible rates compatible with  
7           sound business principles, and to promote and extend the use of electric  
8           power and energy in the state for industrial, agricultural, commercial,  
9           residential, and other purposes.

10 \* Sec. 98. AS 44.33.060 is amended to read:

11           Sec. 44.33.060. REORGANIZATION OF SECTION OF POWER DEVELOPMENT.  
12           Sections 30 and 40 of this chapter do not prevent the governor or the  
13           commissioner of commerce and economic development from integrating the  
14           section of power development into a different organizational pattern,  
15           or authorize duplicating engineering, research or similar activities  
16           conducted by other departments of the state.

17 \* Sec. 99. AS 44.59.010 is amended to read:

18           Sec. 44.59.010. ALASKA STATE DEVELOPMENT CORPORATION. The Alaska  
19           State Development Corporation is a public corporation of the state. The  
20           corporation is an instrumentality of the state within the Department of  
21           Commerce and Economic Development, but has a legal existence independent  
22           of and separate from the state.

23 \* Sec. 100. AS 44.59.030(a) is amended to read:

24           (a) The board consists of the commissioner of commerce and  
25           economic development and six residents of the state. Members of the  
26           board are appointed by the governor and they serve at his pleasure.  
27           Membership on the board is on a nonpartisan basis with due regard to  
28           representation from all areas of the state. At least one member shall  
29           be appointed from each major senate district if, in the opinion of the

1 governor, a qualified person resides in the district. One-half of the  
2 appointed members must be active in the banking business and the other  
3 half must be from the other professions, but shall have extensive know-  
4 ledge of financial matters.

5 \* Sec. 101. AS 44.60.020 is amended to read:

6 Sec. 44.60.020. SMALL BUSINESS DEVELOPMENT CORPORATION OF ALASKA.  
7 The Small Business Development Corporation of Alaska is a public corpora-  
8 tion of the state. The corporation is an instrumentality of the state  
9 within the Department of Commerce and Economic Development, but has a  
10 legal existence independent of and separate from the state.

11 \* Sec. 102. AS 44.60.040 is amended to read:

12 Sec. 44.60.040. APPOINTMENT AND COMPOSITION OF BOARD. The board  
13 consists of six residents of the state none of whom may be public  
14 employees or officials, and the commissioner of commerce and economic  
15 development. Members of the board are appointed by the governor and  
16 serve at his pleasure. Appointments to the board shall be made without  
17 regard to political affiliation and shall represent the state's  
18 geographic and economic interests.

19 \* Sec. 103. AS 44.60.090 is amended to read:

20 Sec. 44.60.090. QUORUM AND NOTICE OF MEETINGS. Four members,  
21 which may include the commissioner of commerce and economic development,  
22 constitute a quorum for the transaction of business unless the bylaws  
23 require a larger number, except that notice of a meeting of the board  
24 must be given to each member.

25 \* Sec. 104. AS 44.61.020 is amended to read:

26 Sec. 44.61.020. CREATION OF AUTHORITY. There is created the  
27 Alaska Industrial Development Authority. The authority is a public  
28 corporation of the state and a body corporate and politic constituting  
29 a political subdivision within the Department of Commerce and Economic

1 Development, but with separate and independent legal existence.

2 \* Sec. 105. AS 44.61.040 is amended to read:

3 Sec. 44.61.040. CHAIRMAN AND VICE-CHAIRMAN. The commissioner of  
4 commerce and economic development is the chairman of the authority, pre-  
5 sides over all meetings, and has the duties which the authority may  
6 direct. A vice-chairman may be elected by the authority from among its  
7 other members for one or more terms of one year each. The vice-chairman  
8 presides over all meetings in the absence of the commissioner of  
9 commerce and economic development and has other duties which the author-  
10 ity may direct.

11 \* Sec. 106. AS 44.62.330(a)(19), (21) and (38) are amended to read:

12 (19) Department of Commerce and Economic Development, under  
13 Alaska Small Loans Act (AS 06.20)

14 (21) Department of Commerce and Economic Development, as to  
15 functions under Alaska Banking Code (AS 06.05)

16 (38) Department of Commerce and Economic Development under the  
17 Emergency Residential Rent Regulation and Control Act (AS 34.00)

18 \* Sec. 107. AS 45.30.010(a) is amended to read:

19 (a) The Department of Commerce and Economic Development shall, by  
20 regulations adopted under the Administrative Procedure Act (AS 44.62),  
21 set minimum mobile home standards for the state at least as stringent as  
22 those set out in the American National Standards Institute Code A119.1 -  
23 1972 for mobile homes. The department may adopt that code by reference,  
24 specifying appropriate modifications, if any, of it.

25 \* Sec. 108. AS 45.55.130(1) is amended to read:

26 (1) "administrator" means the commissioner of commerce and  
27 economic development or his designee;

28 \* Sec. 109. AS 45.95.010(a) is amended to read:

29 (a) The Department of Commerce and Economic Development shall

1 formulate general policies and adopt regulations.

2 \* Sec. 110. AS 45.95.020 is amended to read:

3 Sec. 45.95.020. SMALL BUSINESS LOANS. (a) The commissioner [OF  
4 COMMERCE] shall, under regulations and policies adopted by him, make  
5 small business loans to acquire, finance or refinance or equip business-  
6 es, including farming equipment, mining and fishing, not exceeding  
7 \$100,000. The loans shall be secured by acceptable collateral and may  
8 not exceed 75 per cent of the appraised value of the collateral offered  
9 as security. The rate of interest may not exceed eight per cent a year  
10 on the unpaid balance.

11 (b) The commissioner [OF COMMERCE] may enter into agreements with  
12 private banks, other lending institutions and individuals for the pur-  
13 pose of guaranteeing loans made to qualified applicants. The guarantees  
14 may not exceed 90 per cent of the amount loaned and the loans shall be  
15 secured in the same manner provided for direct loans under this section.  
16 A loan made under this subsection and guaranteed by the commissioner [OF  
17 COMMERCE] and the state shall bear an interest rate not exceeding eight  
18 per cent a year on the unpaid balance.

19 (c) No loans authorized by this section may be made unless the  
20 commissioner [OF COMMERCE] is satisfied that no money is available to  
21 the applicant from private lending institutions on a guaranteed basis  
22 as set out in (b) of this section.

23 (d) Money loaned shall be delivered to the borrower in the form  
24 of a warrant drawn on the treasury, vouchered in the manner prescribed  
25 for state disbursing officers, and charged against the small business  
26 revolving loan fund. Each voucher shall be approved by the commissioner  
27 [OF COMMERCE] or any bonded deputy authorized to act as a certifying  
28 officer. Upon repayment of loans by installments, or otherwise, in  
29 accordance with the prescribed terms, or upon liquidation by foreclosure

1 or other process, or upon receipt of interest or other revenue, the  
2 money so received shall be turned over to the commissioner of revenue  
3 for deposit in the small business revolving loan fund.

4 \* Sec. 111. AS 45.95.030 is amended to read:

5 Sec. 45.95.030. SALE OR TRANSFER OF PREFERRED COMMERCIAL PAPER. The  
6 commissioner [OF COMMERCE] may negotiate with and transfer or sell  
7 to and repurchase from the Department of Revenue, its preferred com-  
8 mercial paper, not to exceed \$1,000,000 for cash, which cash shall be  
9 used only for the purposes of making loans to persons eligible under  
10 this chapter. Money loaned under this section is subject to interest at  
11 the rate of two and one-half per cent a year until all principal and  
12 interest are fully paid.

13 \* Sec. 112. AS 45.95.040 is amended to read:

14 Sec. 45.95.040. SALE OR TRANSFER OF MORTGAGES AND NOTES. (a) The  
15 commissioner [OF COMMERCE] may sell or transfer at par value or at a  
16 premium or discount to any bank or other private purchaser for cash or  
17 other consideration the mortgages and notes held by the Department of  
18 Commerce and Economic Development as security for loans made under this  
19 chapter.

20 (b) The commissioner [OF COMMERCE] may sell or transfer at par  
21 value to the Department of Revenue the mortgages and notes held by the  
22 Department of Commerce and Economic Development as security for loans  
23 made under this chapter. The Department of Revenue shall purchase all  
24 of these mortgages and notes offered, allowing the Department of  
25 Commerce and Economic Development a one-half of one per cent service  
26 fee.

27 \* Sec. 113. AS 45.95.050 is amended to read:

28 Sec. 45.95.050. POWER OF COMMISSIONER TO ASSIGN AND SELL MORTGAGES.  
29 The commissioner [OF COMMERCE] may assign and sell small business loan

1 mortgages to the Alaska State Mortgage Association in consideration of  
2 receiving its cash, bonds, debentures and notes upon conditions which  
3 he considers advantageous to the state small business lending program.

4 \* Sec. 114. AS 45.95.070(3) is amended to read:

5 (3) in the judgment of the Department of Commerce and  
6 Economic Development

7 (A) the business shows a definite potential for growth;

8 (B) the borrower will be able to repay the loan; and

9 (C) the loan will potentially create more jobs and pro-  
10 vide additional services in the community.

11 \* Sec. 115. AS 45.95 is amended by adding a new section to read:

12 Sec. 45.95.080. DEFINITIONS. In this chapter, "commissioner"  
13 means the commissioner of commerce and economic development.

14 \* Sec. 116. AS 46.03.110(c) is amended to read:

15 (c) When the department receives an application, the commissioner  
16 shall immediately send copies of the application to the commissioner of  
17 fish and game, the commissioner of natural resources, the commissioner  
18 of commerce and economic development and the commissioner of health  
19 and social services.

20 \* Sec. 117. AS 46.26.030(b) is amended to read:

21 (b) The commissioners of natural resources, fish and game,  
22 commerce and economic development and health and social services shall  
23 serve as nonvoting ex officio members.  
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