

Introduced: 4/24/79  
Referred: Judiciary

BY THE RULES COMMITTEE BY  
REQUEST OF THE LEGISLATIVE  
COUNCIL

1 IN THE SENATE

2 SENATE BILL NO. 277

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST 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 05.15.030(a) is amended to read:

10 (a) At the time of filing application the applicant shall notify  
11 the city or borough nearest to the location of the proposed activity of  
12 the application. A [DURING THE 15-DAY PERIOD A] local government unit  
13 may protest the conduct of the activity in its jurisdiction by resolu-  
14 tion stating the reasons for the protest filed with the department.  
15 Protests are limited to the lack of qualifications prescribed by this  
16 chapter.

17 \* Sec. 2. AS 06.30.445(b) is amended to read:

18 (b) Each savings association shall accumulate and maintain as a  
19 net worth account a general reserve for the sole purpose of absorbing  
20 losses. At the annual closing date following the anniversary of its  
21 certificate of authority and each annual closing date thereafter, the  
22 general reserve shall have a minimum balance not less than an amount  
23 fixed by regulation. The commissioner by regulation shall fix the  
24 required minimum amount of general reserve accounts for the association  
25 as prescribed in section 563.13 of the regulations of the Federal Home  
26 Loan Bank Board [FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION REGULA-  
27 TIONS]. The regulation shall provide a uniform schedule of minimum  
28 levels to be reached during the first 20 or more years of an associa-  
29 tion's operation for the purpose of achieving an orderly accumulation of

1 the general reserve account.

2 \* Sec. 3. AS 08.08.220 is repealed.

3 \* Sec. 4. AS 08.80 is amended by adding a new section to read:

4 Sec. 08.80.115. REGISTRATION OF PREGRADUATE AND POSTGRADUATE  
5 INTERN PHARMACIST. (a) An applicant for registration as a postgraduate  
6 intern pharmacist must meet the requirements of AS 08.80.110(1) - (3)  
7 and pay the required fee.

8 (b) An applicant for registration as a pregraduate pharmacist must  
9 meet the requirements of AS 08.80.110(1) and (2) and must be enrolled in  
10 a pharmacy school recognized by the National Association of Board of  
11 Pharmacy and must be declared a junior by the pharmacy school. An  
12 applicant for registration as a pregraduate internship pharmacist may be  
13 on recognized vacation from the pharmacy school. However, the vacation  
14 may not exceed one quarter or one semester. The pregraduate internship  
15 pharmacist shall pay the required fee.

16 (c) The registration of postgraduate or pregraduate internship  
17 pharmacists is valid for one year and may be renewed upon application.

18 \* Sec. 5. AS 08.80.117 is repealed.

19 \* Sec. 6. AS 08.80.295(a) is amended to read:

20 (a) Except as limited by (b) and (c) of this section, with the  
21 consent of the purchaser, the pharmacist may substitute a drug product  
22 with the same generic name in the same strength, quantity, dose and  
23 dosage form as the prescribed drug which is, in the pharmacist's pro-  
24 fessional opinion, therapeutically equivalent and meets the standards of  
25 (g) [(f)] of this section. Upon substitution the pharmacist shall noti-  
26 fy the purchaser and the person who prescribed the drug of the substitu-  
27 tion and of the drug substituted.

28 \* Sec. 7. AS 10.20.710(a)(2) is repealed.

29 \* Sec. 8. AS 13.26.030 is amended to read:

1           Sec. 13.26.030. STATUS OF GUARDIAN OF MINOR; GENERAL. A person  
2 becomes a guardian of a minor by acceptance of a testamentary appoint-  
3 ment or upon appointment by the court. The guardianship status con-  
4 tinues until terminated, without regard to the location from time to  
5 time of the guardian and minor ward. The powers of a guardian may be  
6 delegated in accordance with AS 13.26.020.

7 \* Sec. 9. AS 14.12.170 is amended to read:

8           Sec. 14.12.170. DISTRICTS. For purposes of AS 14.12.150 - 14.12.-  
9 180 [THIS CHAPTER], regional educational attendance areas shall be  
10 considered districts.

11 \* Sec. 10. AS 15.20.150 is amended to read:

12           Sec. 15.20.150. CASTING VOTE BY PERSONAL REPRESENTATIVE OR BY  
13 MAIL. Upon receipt of an absentee ballot through a personal representa-  
14 tive or by mail, the voter, whether in or outside the state, in the  
15 presence of an attesting witness who is at least 18 years of age, may  
16 proceed to mark the ballot in secret, to place the ballot in the small  
17 blank envelope, to place the small envelope in the larger envelope, and  
18 to sign the voter's certificate on the back of the larger envelope in  
19 the presence of the attesting witness [ABOVE-LISTED OFFICIAL OR DES-  
20 CRIBED PERSONS WHO SHALL SIGN AS ATTESTING WITNESSES]. The voter may  
21 then return the ballot properly enclosed in the envelopes, by personal  
22 representative to the election official who provided the ballot or by  
23 the most expeditious mail service, postmarked not later than the day of  
24 the election, to the election supervisor in his district.

25 \* Sec. 11. AS 15.25.050 is amended to read:

26           Sec. 15.25.050. REQUIREMENT OF FILING FEE. (a) Except as pro-  
27 vided in (b) of this section, at [AT] the time the declaration is filed,  
28 each candidate shall pay a filing fee to the lieutenant governor. The  
29 filing fee for candidates for office of governor, lieutenant governor,

1 United States senator, and United States representative is \$100. The  
2 filing fee for candidates for office of state senator and state repre-  
3 sentative is \$30.

4 (b) In place of a filing fee, an indigent candidate may file a  
5 petition to have his name placed on the primary ballot for the party and  
6 office of his choice. The petition must be signed by not less than the  
7 number of qualified voters prescribed by either AS 15.25.160 or 15.25.-  
8 170, as appropriate.

9 \* Sec. 12. AS 15.60.010 is amended by adding a new paragraph to read:

10 (25) "indigent candidate" means a person who, at the time of  
11 filing for office, does not have sufficient assets, credit or other  
12 means to provide for payment of the filing fee without depriving the  
13 candidate or his dependents of food, clothing, or shelter and who has  
14 not disposed of any assets with the intent or for the purpose of filing  
15 as a candidate for the primary election without paying a filing fee.

16 \* Sec. 13. AS 17.05.040 is repealed.

17 \* Sec. 14. AS 18.50.280 is amended to read:

18 Sec. 18.50.280. COURT REPORTS OF DIVORCE, DISSOLUTION AND ANNUL-  
19 MENT. (a) For each dissolution, divorce and annulment of marriage  
20 granted by a court in the state the clerk of the court shall prepare and  
21 file a certificate of dissolution, divorce or annulment with the bureau,  
22 on forms prescribed and furnished by the bureau. The petitioner or  
23 plaintiff shall furnish the court with the information necessary to  
24 complete the certificate, and the furnishing of this information is  
25 prerequisite to the issuance of a decree.

26 (b) Before the 11th day of each month the clerk of the court shall  
27 forward to the bureau the certificate of each dissolution, divorce and  
28 annulment granted during the preceding calendar month and the related  
29 reports required by regulation issued under this chapter.

1 \* Sec. 15. AS 18.100.070(c) is amended to read:

2 (c) All projects under this section shall be in accordance with  
3 facility procurement policies developed under AS 35.10.160 - 35.10.200  
4 [35.10.060 - 35.10.200] and are public facilities under those sections.

5 \* Sec. 16. AS 22.15.030(a)(7) is repealed.

6 \* Sec. 17. AS 35.10.015(c) is amended to read:

7 (c) In this section, "public facilities" includes vessels owned by  
8 the state and operated by the division of marine transportation of the  
9 Department of Transportation and Public Facilities [WORKS] as a part of  
10 the Alaska marine highway system. All ferries owned or operated by the  
11 state shall be equipped with elevators or other passenger lifting equip-  
12 ment, ramps, or other facilities and devices to ensure that these  
13 vessels are accessible to and usable by physically handicapped, aged or  
14 infirm passengers. In this section [SUBSECTION], "accessible to and  
15 usable by" means that a physically handicapped, aged or infirm passenger  
16 can board, disembark and move between decks and about the public areas  
17 aboard a state ferry with personal comfort and with safety to himself,  
18 other passengers and members of the crew.

19 \* Sec. 18. AS 37.07.080(h) is repealed.

20 \* Sec. 19. AS 38.05.066 is repealed.

21 \* Sec. 20. AS 38.05.067(d)(4) is amended to read:

22 (4) August 4, 1964, and November 7, 1975 [A DATE SIX MONTHS  
23 AFTER THE TERMINATION OF HOSTILITIES INVOLVING FORCES OF THE UNITED  
24 STATES IN VIET NAM].

25 \* Sec. 21. AS 42.05.171 is amended to read:

26 Sec. 42.05.171. FORMAL HEARINGS. A formal hearing which the  
27 commission has power to hold may be held by or before three [TWO] or  
28 more commissioners designated for the purpose by the commission. The  
29 testimony and evidence in a formal hearing may be taken by the commis-

1        sioners to whom the hearing has been assigned. A commissioner who has  
2        not heard the testimony, including the argument, may not participate in  
3        making a decision of the commission. In determining the place of a  
4        hearing the commission shall give preference to holding the hearing at a  
5        place most convenient for those interested in the subject of the hearing.

6        \* Sec. 22. AS 44.47.150(g) is amended to read:

7                (g) For the purposes of this section [CHAPTER], the term munici-  
8        pality includes only first and second class cities incorporated under  
9        the laws of the state.

10       \* Sec. 23. AS 44.50.130(a) is amended to read:

11                (a) An application for a notary public commission shall include a  
12        statement under oath that the applicant is [A CITIZEN OF THE UNITED  
13        STATES AND] a resident of Alaska, as defined in AS 44.50.020.

14       \* Sec. 24. AS 45.55.140(b)(5)(B)(viii) is amended to read:

15                (viii) the issuer files with the administrator a  
16        notice specifying the issuer, the security to be sold  
17        [OFFERED], and the terms of the offer at least two days before  
18        the sale [OFFER] is made;

19       \* Sec. 25. AS 45.60.031(d) is amended to read:

20                (d) To the extent that the custodial property is not so expended  
21        the custodian shall deliver or pay it over to the minor on his attaining  
22        the age of 18 [19] years or, if the minor dies before attaining the age  
23        of 18 [19] years, he shall deliver or pay it over to the estate of the  
24        minor.

25       \* Sec. 26. AS 45.60.061(d) is amended to read:

26                (d) If a person designated as custodian or as successor custodian  
27        as provided in (a) of this section is not eligible, dies or becomes  
28        legally incapacitated before the minor attains the age of 18 [19] years  
29        and if the minor has a guardian, the guardian of the minor shall be

1 successor custodian. If the minor has no guardian and if no successor  
2 custodian who is eligible and has not died or become legally incapacita-  
3 ted has been designated as provided in (a) of this section, a donor, his  
4 legal representative, the legal representative of the custodian or an  
5 adult member of the minor's family may petition the court for the desig-  
6 nation of a successor custodian.

7 \* Sec. 27. AS 45.60.091(1) is amended to read:

8 (1) "adult" means a person who has attained the age of 18  
9 [19] years;

10 \* Sec. 28. AS 45.60.091(13) is amended to read:

11 (13) "minor" means a person who has not attained the age of 18  
12 [19] years;

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29