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1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 277

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH 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 AS 02.15.180 is repealed.

10 * Sec. 2. AS 05.15.030(a) is amended to read:

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

18 * Sec. 3. AS 06.30.445(b) is amended to read:

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

1 tion's operation for the purpose of achieving an orderly accumulation of
2 the general reserve account.

3 * Sec. 4. AS 06.30.665 is amended to read:

4 Sec. 06.30.665. COMMISSIONER MAY APPLY FOR APPOINTMENT OF CON-
5 SERVATOR. If satisfactory corrective action is not taken within a
6 reasonable time after the order of the commissioner under AS 06.01.030
7 [AS 06.01.660], the commissioner, if he believes that the public in-
8 terest may be served by the appointment of a conservator, may, acting
9 through the attorney general, apply to the superior court for the ap-
10 pointment of a conservator.

11 * Sec. 5. AS 08.08.220 is repealed.

12 * Sec. 6. AS 08.80 is amended by adding a new section to read:

13 Sec. 08.80.116. REGISTRATION OF PREGRADUATE AND POSTGRADUATE
14 INTERN PHARMACIST. (a) An applicant for registration as a postgraduate
15 intern pharmacist must meet the requirements of AS 08.80.110(1) - (3)
16 and pay the required fee.

17 (b) An applicant for registration as a pregraduate pharmacist must
18 meet the requirements of AS 08.80.110(1) and (2) and must be enrolled in
19 a pharmacy school recognized by the National Association of Board of
20 Pharmacy and must be declared a junior by the pharmacy school. An
21 applicant for registration as a pregraduate internship pharmacist may be
22 on recognized vacation from the pharmacy school. However, the vacation
23 may not exceed one quarter or one semester. The pregraduate internship
24 pharmacist shall pay the required fee.

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

27 * Sec. 7. AS 08.80.117 is repealed.

28 * Sec. 8. AS 08.80.295(a) is amended to read:

29 (a) Except as limited by (b) and (c) of this section, with the

1 consent of the purchaser, the pharmacist may substitute a drug product
2 with the same generic name in the same strength, quantity, dose and
3 dosage form as the prescribed drug which is, in the pharmacist's pro-
4 fessional opinion, therapeutically equivalent and meets the standards of
5 (g) [(f)] of this section. Upon substitution the pharmacist shall noti-
6 fy the purchaser and the person who prescribed the drug of the substitu-
7 tion and of the drug substituted.

8 * Sec. 9. AS 09.55.238(b) is amended to read:

9 (b) The amount of damages recoverable under this section is \$200
10 for each failure of the custodian, wilfully and without just excuse, to
11 permit visitation with the child for substantially the length of time
12 and substantially in the same manner as specified in the court order.
13 This amount may not be increased or decreased once liability has been
14 established. The custodian is not liable for more than one failure in
15 respect to what is, under the court order, a single continuous period of
16 visitation [VIOLATION]. The prevailing party in an action commenced
17 under this section is entitled to recover a reasonable attorney fee.

18 * Sec. 10. AS 10.20.710(a)(2) is repealed.

19 * Sec. 11. AS 14.12.170 is amended to read:

20 Sec. 14.12.170. DISTRICTS. For purposes of AS 14.12.150 - 14.12.-
21 180 [THIS CHAPTER], regional educational attendance areas shall be
22 considered districts.

23 * Sec. 12. AS 14.17.140(b) is amended to read:

24 (b) Motor vehicles subject to the motor vehicle registration tax
25 under AS 28.10.431 [AS 28.10.255] shall be treated as taxable property
26 for purposes of (a) of this section.

27 * Sec. 13. AS 14.20.470(a)(7) is amended to read:

28 (7) appoint an executive secretary, delegate those minis-
29 terial functions to him as the commission may decide and set his com-

1 pensation with a starting salary not exceeding range 26, step B of
2 the pay plan for state employees in AS 39.27.011(a) [AS 39.27.010].

3 * Sec. 14. AS 14.36.070(5) is amended to read:

4 (5) "district" means a school district or a regional educa-
5 tional attendance area [THE STATE-OPERATED SCHOOLS];

6 * Sec. 15. AS 14.40.776 - 14.40.801 are repealed.

7 * Sec. 16. AS 16.05.340(a)(9) is amended to read:

8 (9) Nonresident hunting and sport fishing license..... 90

9 A nonresident may not take a big game animal without previously pur-
10 chasing a numbered, nontransferable, appropriate tag, issued to him as
11 provided in (16) of this subsection. The tag shall be affixed to the
12 animal immediately upon capture and shall remain affixed until the
13 animal is prepared for storage, consumed, or exported. A tag issued but
14 not used for an animal may be used to satisfy the tagging requirement
15 for any other animal of the species named for which the tag fee is of
16 equal or less value.

17 * Sec. 17. AS 16.05.340(b) is amended to read:

18 (b) The commissioner of fish and game may issue without cost a
19 permit to collect fish and game, including fur animals, subject to the
20 limitations and provisions he considers appropriate, for scientific,
21 propagative, or educational purpose. In addition, the commissioner may
22 issue a permit for (1) the collecting of wild fur animals for fur farm-
23 ing, or (2) the recapturing of fur animals that have escaped from fur
24 farms. The annual fee for a permit for collecting fur animals for fur
25 farming purposes is \$100. [A TAG ISSUED BUT NOT USED FOR AN ANIMAL MAY
26 BE USED TO SATISFY THE TAGGING REQUIREMENT FOR ANY OTHER ANIMAL OF THE
27 SPECIES NAMED FOR WHICH THE TAG FEE IS OF EQUAL OR LESS VALUE.]

28 * Sec. 18. AS 17.05.040 is repealed.

29 * Sec. 19. AS 18.50.280 is amended to read:

1 Sec. 18.50.280. COURT REPORTS OF DIVORCE, DISSOLUTION AND ANNUL-
2 MENT. (a) For each dissolution, divorce and annulment of marriage
3 granted by a court in the state the clerk of the court shall prepare and
4 file a certificate of dissolution, divorce or annulment with the bureau,
5 on forms prescribed and furnished by the bureau. The petitioner or
6 plaintiff shall furnish the court with the information necessary to
7 complete the certificate, and the furnishing of this information is
8 prerequisite to the issuance of a decree.

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

13 * Sec. 20. AS 18.100.070(c) is amended to read:

14 (c) All projects under this section shall be in accordance with
15 facility procurement policies developed under AS 35.10.160 - 35.10.200
16 [AS 35.10.060 - 35.10.200] and are public facilities under those sec-
17 tions.

18 * Sec. 21. AS 19.25.105(b) is repealed.

19 * Sec. 22. AS 19.25.110 is repealed.

20 * Sec. 23. AS 19.27.070 is repealed.

21 * Sec. 24. AS 21.27.420(2) is amended to read:

22 (2) by an order on hearing made as provided in AS 21.06.220
23 [AS 21.06.230] effective 10 days after the date of the giving of the
24 order, subject to the right of the licensee to appeal to the superior
25 court as provided in AS 21.06.230 [AS 21.06.240].

26 * Sec. 25. AS 22.15.030(a)(7) is repealed.

27 * Sec. 26. The following are repealed: AS 26.15.100, 26.15.110, 26.15.-
28 120, 26.15.150, and 26.15.170.

29 * Sec. 27. AS 26.15.130(a)(1) is amended to read:

1 (1) persons who served in the armed forces of the United
2 States for 90 days or more, or whose service was for less than 90 days
3 because of injury or disability incurred in the line of duty, between
4 April 6, 1917, and November 11, 1918, and beginning September 16, 1940,
5 to November 7, 1975 [SIX MONTHS AFTER TERMINATION OF HOSTILITIES IN-
6 VOLVING UNITED STATES FORCES IN INDO-CHINA], or in a combat zone during
7 any period of armed conflict, who were separated from the armed forces
8 with a discharge other than dishonorable, and

9 (A) who, at the time of induction into the service, were
10 residents of the territory, who had been residents for not less
11 than one year immediately before their induction, and who returned
12 to the territory or state after discharge as residents with the
13 intention of remaining in the territory or state; or

14 (B) who, not being bona fide residents of the territory
15 before their entry into the service, have been residents of the
16 territory or state for five or more years;

17 * Sec. 28. AS 26.15.160 is amended to read:

18 Sec. 26.15.160. EXTENSION OF CHAPTER TO VETERANS OF KOREA AND VIET
19 NAM. The provisions of this chapter, except those provisions relating
20 to the payment of bonuses, are extended to persons who served other than
21 dishonorably on active duty between June 25, 1950, and January 31, 1955,
22 who served other than dishonorably on active duty between August 4,
23 1964, and November 7, 1975 [SIX MONTHS AFTER TERMINATION OF HOSTILITIES
24 INVOLVING FORCES OF THE UNITED STATES], and to dependents of such per-
25 sons, subject to the following provisions and eligibility qualifica-
26 tions.

27 (1) Persons are eligible

28 (A) who were discharged other than dishonorably from the
29 armed forces of the United States or who are released to a reserve

1 component; and

2 (B) who at the time of entry into the service were bona
3 fide residents of the territory or State of Alaska and had been
4 residents of the territory or state for not less than one year
5 before their entry into the service; and who have returned to the
6 territory or state within a reasonable length of time after dis-
7 charge or separation as residents with the intention of remaining
8 in the territory or state; or who, not being bona fide residents of
9 the territory before their entry into the service, have lived in
10 the territory or state for at least five years following their
11 release from active military service; and

12 (C) who served in the armed forces of the United States
13 for 90 days or more, or whose service was for a lesser period
14 because of injury or disability incurred in line of duty, between
15 June 25, 1950, and January 31, 1955, or who served in the armed
16 forces of the United States for 90 days or more or whose service
17 was for a lesser period because of injury or disability incurred in
18 line of duty, between August 4, 1964, and July 1, 1977.

19 (2) Persons are eligible who were dependent upon a member of
20 the armed forces or upon a veteran eligible for the benefits of this
21 chapter at the time of the member's or veteran's death if the member or
22 veteran was a resident of the territory for one year before entry into
23 service and died before the cessation of the present national emergency
24 as determined and proclaimed by the governor. Dependents shall be
25 unmarried and the deceased veteran or member of the armed forces shall
26 have been their chief means of support and they shall be either a widow,
27 widower, minor child, or a mother, father, sister or brother incapable
28 of self-support. Dependents shall be residents of the state at the time
29 of application and shall intend to remain residents in the state per-

1 manently. The rights of minor children under this chapter may be exer-
2 cised only if they have no surviving parent and have an appointed guard-
3 ian who may apply on their behalf for the benefits of this chapter for
4 their care, support or education.

5 (3) No person unless he has lived in the state or territory
6 for at least five years following his release from active military
7 service is eligible for the benefits of this section who is eligible for
8 veterans' benefits under the laws of any other state or territory. A
9 World War II veteran who received a bonus under AS 26.15.120 and 26.15.-
10 150 need not repay the bonus in order to qualify under the loan provi-
11 sions of this section.

12 (4) For persons otherwise eligible for the benefits under
13 this section, who did not return to the state or territory within one
14 year after separation from the service unless prevented from doing so
15 for medical, educational or other valid purposes approved by the Depart-
16 ment of Commerce and Economic Development within one year after separa-
17 tion from the service, an additional requirement of four years' resi-
18 dence in the state or territory before their entry into the service is
19 imposed to entitle them to the benefit provisions of this section.

20 * Sec. 29. AS 28.35.030(a) is amended to read:

21 (a) A person who, while under the influence of intoxicating liquor
22 depressant, hallucinogenic or stimulant drugs or narcotic drugs as
23 defined in AS 17.10.230(13) and AS 17.12.150(3) operates or drives an
24 automobile, motorcycle or other motor vehicle in the state, upon con-
25 viction, is punishable by a fine of not more than \$1,000, or by im-
26 prisonment for not more than one year, or by both and the court shall
27 impose a minimum sentence of imprisonment of not less than three con-
28 secutive days. Upon a subsequent conviction within five years after a
29 conviction under this section, the court shall impose a minimum sentence

1 of imprisonment of not less than 10 consecutive days. The execution of
2 sentence may not be suspended nor may probation or parole be granted
3 until the minimum imprisonment provided in this section has been served,
4 nor may imposition of sentence be suspended, except upon the condition
5 that the defendant be imprisoned for no less than the minimum period
6 provided in this section, nor may the punishment provided for in this
7 section be reduced [UNDER AS 11.05.150]. In addition, his operator's
8 license shall be revoked in accordance with AS 28.15.181 [AS 28.15.-
9 210(c)]. In addition, a person convicted under this statute shall
10 undertake, for a term specified by the court, that program of alcohol
11 education or rehabilitation which the court, after consideration of any
12 information compiled under (b) of this section, finds appropriate.

13 * Sec. 30. AS 28.35.155(a) is amended to read:

14 (a) It is unlawful to operate a motor vehicle with studded tires
15 or tires with chains attached on a paved highway or road from May 1
16 through September 15, inclusive, north of 60° North Latitude and from
17 April 15 through September 30, inclusive, south of 60° North Latitude.
18 The commissioner of public safety shall by emergency order provide for
19 additional lawful operating periods based on unusual seasonal or weather
20 conditions. An emergency order adopted under this section is not sub-
21 ject to the Administrative Procedure Act (AS 44.62). Upon application a
22 special individual traction permit may be issued allowing the operation
23 of a motor vehicle with studded tires or chains at any time at the
24 discretion of the vehicle owner. The fee for the special individual
25 permit is one-third of the annual registration fee [LICENSE TAX] appli-
26 cable to that class of vehicle under AS 28.10.421 [AS 28.10.200]. The
27 department may provide an appropriate sticker or other device identi-
28 fying the vehicle to which the permit applies.

29 * Sec. 31. AS 29.41.020 is amended to read:

1 Sec. 29.41.020. ASSEMBLY TO SERVE AS SCHOOL BOARD. The borough
2 assembly is the borough school board for third class boroughs. [WHERE
3 APPLICABLE, WEIGHTED VOTING SHALL APPLY TO BOARD DECISIONS.] The borough
4 executive is the presiding officer of the borough assembly and president
5 of the school board. The borough executive has all powers of a borough
6 executive except for the veto power.

7 * Sec. 32. AS 29.53.025(c)(1) is amended to read:

8 (1) a home rule or first or second class borough may, by
9 ordinance [ADOPTED WITHOUT WEIGHTED VOTING], adjust its property tax
10 structure in whole or in part to the property tax structure of a city
11 within it, including but not limited to, excluding personal property
12 from taxation, establishing exemptions, and extending the redemption
13 period;

14 * Sec. 33. AS 31.05.027 is amended to read:

15 Sec. 31.05.027. APPLICATION. The authority of the commission
16 applies to all land in the state lawfully subject to its police powers.
17 It applies to land of the United States or to land subject to the juris-
18 diction of the United States only to the extent that control and super-
19 vision of conservation of oil and gas and prevention of waste by the
20 United States on its land fails to carry out the intent and purposes of
21 this chapter, and otherwise applies to federal land so far as an officer
22 of the United States having jurisdiction, or his authorized representa-
23 tive, shall approve any of the provisions of this chapter or orders of
24 the commission which affect land. The authority of the commission
25 further applies to all land included in a voluntary cooperative or unit
26 plan of development or operation entered into in accordance with AS 38.-
27 05.180(p) [AS 38.05.180(m)].

28 * Sec. 34. AS 31.05.110(p) is amended to read:

29 (p) An aliquot of unit production may be underlifted or overlifted

1 from a unit established under this chapter or AS 38.05.180(p) [AS 38.-
2 05.180(m)] only when it does not create waste, except the commissioner
3 may permit underlifting or overlifting for temporary periods for the
4 purpose of accommodating extraordinary disruptions to an interest owner's
5 production disposal system. Underlifted oil may be recovered by an
6 interest owner at a daily rate not to exceed 10 percent of his working
7 or royalty interest share of daily production at the time of underlift
8 recovery. This subsection applies to all units created after June 30,
9 1978.

10 * Sec. 35. AS 38.05.066 is repealed.

11 * Sec. 36. AS 38.05.067(d)(4) is amended to read:

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

15 * Sec. 37. The following laws are repealed: AS 38.05.180(v); and AS 38.-
16 40.

17 * Sec. 38. AS 39.05.020 is amended to read:

18 Sec. 39.05.020. APPOINTMENT OF DEPARTMENT HEADS [AND OTHER EXECU-
19 TIVE OFFICERS]. The governor shall appoint the head of each principal
20 executive department in the state government. Each appointment is
21 subject to confirmation by a majority of the members of the legislature
22 in joint session. [THE FOLLOWING EXECUTIVE APPOINTMENTS ARE ALSO SUB-
23 JECT TO CONFIRMATION BY A MAJORITY OF THE MEMBERS OF THE LEGISLATURE IN
24 JOINT SESSION:

25 (1) THE DEPUTY HEAD OF EACH PRINCIPAL EXECUTIVE DEPARTMENT OF
26 THE STATE;

27 (2) DIRECTOR, DIVISION OF BANKING;

28 (3) DIRECTOR, DIVISION OF INSURANCE;

29 (4) DIRECTOR, DIVISION OF FAMILY AND CHILDRENS SERVICES;

- 1 (5) DIRECTOR, DIVISION OF CORRECTIONS;
- 2 (6) DIRECTOR, DIVISION OF OIL AND GAS;
- 3 (7) DIRECTOR, DIVISION OF ELECTIONS;
- 4 (8) DIRECTOR, DIVISION OF POLICY PLANNING AND RESEARCH;
- 5 (9) DIRECTOR, DIVISION OF PERSONNEL;
- 6 (10) DIRECTOR, DIVISION OF BUDGET AND MANAGEMENT;
- 7 (11) DIRECTOR, DIVISION OF MEDICAL ASSISTANCE;
- 8 (12) DIRECTOR, DIVISION OF MENTAL HEALTH;
- 9 (13) DIRECTOR, DIVISION OF PUBLIC HEALTH;
- 10 (14) DIRECTOR, OFFICE OF TELECOMMUNICATIONS;
- 11 (15) DIRECTOR, DIVISION OF MARINE TRANSPORTATION;
- 12 (16) DIRECTOR, DIVISION OF WATERS AND HARBORS;
- 13 (17) DIRECTOR, DIVISION OF LANDS;
- 14 (18) STATE GEOLOGIST, DIVISION OF GEOLOGICAL AND GEOPHYSICAL
- 15 SURVEYS;
- 16 (19) DIRECTOR, DIVISION OF AGRICULTURE;
- 17 (20) DIRECTOR, DIVISION OF AVIATION.]

18 * Sec. 39. AS 39.25.150(23) is amended to read:

19 (23) the granting of employment preference rights to a veteran
 20 at each time he applies for employment, not within the area of pro-
 21 motion, when he possesses the necessary qualifications in the job classi-
 22 fication for which he applies under this chapter; the term "veteran"
 23 means a person with 90 days or more active service in the armed forces
 24 of the United States who has been honorably discharged after having
 25 served during any period between April 6, 1917, and December 1, 1919,
 26 between September 16, 1940, and December 31, 1947, or between June 27,
 27 1950, and November 7, 1975 [A DATE TO BE DETERMINED BY THE LEGISLATURE
 28 WHICH SHALL BE ON OR ABOUT SIX MONTHS AFTER THE TERMINATION OF HOSTILI-
 29 TIES INVOLVING FORCES OF THE UNITED STATES IN VIET NAM]; the term

1 "disabled veteran" means a veteran who is rated by the United States
2 Veterans' Administration as having at least a 10 percent service-
3 connected disability; in the examination to determine the qualification
4 of applicants for entrance into the classified service under merit
5 system examination, five additional points shall be added to the passing
6 grade of a veteran and 10 additional points shall be added to the passing
7 grade of a disabled veteran; if a position in the classified service is
8 eliminated, employees shall be released in accordance with rules which
9 give due effect to all factors; if all job qualifications are equal, the
10 veteran shall be given preference over the nonveteran and the veteran
11 shall be kept on the job; [.]

12 * Sec. 40. AS 39.50.200(9)(J) is repealed.

13 * Sec. 41. AS 39.50.200(9) is amended by adding new subparagraphs to
14 read:

15 (SS) Board of Fisheries (AS 16.05.221(a));

16 (TT) Board of Game (AS 16.05.221(b)).

17 * Sec. 42. AS 39.50.200(9)(S) is repealed.

18 * Sec. 43. AS 39.50.200(9)(EE) is repealed.

19 * Sec. 44. AS 39.50.200(9)(LL) is repealed.

20 * Sec. 45. AS 41.40 is repealed.

21 * Sec. 46. AS 42.05.171 is amended to read:

22 Sec. 42.05.171. FORMAL HEARINGS. A formal hearing which the
23 commission has power to hold may be held by or before three [TWO] or
24 more commissioners designated for the purpose by the commission. The
25 testimony and evidence in a formal hearing may be taken by the commis-
26 sioners to whom the hearing has been assigned. A commissioner who has
27 not heard the testimony, including the argument, may not participate in
28 making a decision of the commission. In determining the place of a
29 hearing the commission shall give preference to holding the hearing at a

1 place most convenient for those interested in the subject of the hearing.

2 * Sec. 47. AS 43.75.140(8) is repealed.

3 * Sec. 48. AS 44.47.140 is amended to read:

4 Sec. 44.47.140. LIMITATIONS. The programs of the department under
5 AS 44.47.130 in rural areas are subject to the following limitations:

6 (1) no program for any one community may exceed \$40,000 in
7 cost a year; and

8 (2) no first class city of over 2,000 population is eligible
9 for assistance.

10 * Sec. 49. AS 44.47.150(g) is amended to read:

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

14 * Sec. 50. AS 44.50.130(a) is amended to read:

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

18 * Sec. 51. AS 44.56.180(a) is amended to read:

19 (a) The authority shall, for each new project, determine the most
20 appropriate means by which to finance a project which may include, but
21 is not limited to,

22 (1) the issuance of revenue bonds;

23 [(2) A GUARANTEE OF INDEBTEDNESS BY THE ALASKA PERMANENT FUND
24 CORPORATION IN ACCORDANCE WITH AS 37.13.200;]

25 (3) an appropriation from the general fund; or

26 (4) a [ANY] combination of (1) [, (2),] and (3) of this
27 subsection.

28 * Sec. 52. AS 44.56.180(b) is amended to read:

29 (b) Upon completion of the reconnaissance study, the authority

1 shall submit to the governor and the legislature a statement of its
2 recommendations for financing each new project. The financing plan may
3 include a recommendation for a guarantee of indebtedness or a general
4 fund appropriation only when necessary to supplement private financing
5 in order to make a project financially feasible. If the recommended
6 financing for the project includes a guarantee of indebtedness by the
7 permanent fund or an appropriation from the general fund, the legis-
8 lature must first give its approval by joint resolution before the
9 authority may proceed with the engineering or design phase of the pro-
10 ject. [THE LEGISLATIVE APPROVAL REQUIRED IN THIS SUBSECTION MAY NOT BE
11 CONSIDERED THE APPROVAL REQUIRED UNDER AS 37.13.230 FOR GRANTING OF A
12 PERMANENT FUND GUARANTEE.]

13 * Sec. 53. AS 44.62.330(a)(18) is repealed.

14 * Sec. 54. 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 any sales are [THE OFFER IS] made;

19 * Sec. 55. 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. 56. 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. 57. 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. 58. 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 * Sec. 59. AS 47.15.050 is amended to read:

14 Sec. 47.15.050. FEES. A counsel or guardian ad litem appointed
15 under the provisions of this compact may be paid as provided in the
16 Rules Governing the Administration of all Courts [OF CIVIL PROCEDURE].

17 * Sec. 60. AS 47.17.070(1) is amended to read:

18 (1) "child abuse or neglect" means the physical injury,
19 sexual abuse, or maltreatment of a child under the age of 18 [EIGHTEEN]
20 by a person who is responsible for the child's welfare under circum-
21 stances which indicate that the child's health or welfare is harmed or
22 threatened thereby;

23 * Sec. 61. AS 47.17.070(2) is amended to read:

24 (2) "child" means a person under 18 [16] years of age;

25 * Sec. 62. AS 47.25.650 is amended to read:

26 Sec. 47.25.650. RESIDENCE IN INSTITUTIONS. No payment under
27 AS 47.25.620 - 47.25.780 may be made to or in behalf of an individual
28 who is a resident [AN INMATE] of the Alaska Pioneers' Home or another
29 public institution, except as a patient in a public medical institution,

1 or an individual who is a patient in a public or private institution for
2 tuberculosis or mental diseases; or has been diagnosed as having tuber-
3 culosis or psychosis and is a patient in a medical institution as a
4 result of the diagnosis. A resident [AN INMATE] of the Alaska Pioneers'
5 Home or other institution may, at any time he wishes to leave the in-
6 stitution, apply for assistance under AS 47.25.620 - 47.25.780 instead
7 of the support and maintenance provided in the home or institution.

8 * Sec. 63. AS 47.37.090 is repealed and re-enacted to read:

9 Sec. 47.37.090. TERM OF OFFICE AND VACANCIES. The term of a board
10 member is four years. Board members serve at the pleasure of the gover-
11 nor. A vacancy occurring in the membership of the board shall be filled
12 by appointment by the governor for the unexpired portion of the vacated
13 term.