

Introduced: 4/2/81
Referred: State Affairs
and Judiciary

1 IN THE SENATE

BY BRADLEY

2 SENATE BILL NO. 375

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the appointment and commission of
7 commissioned officers or commanders of units of the
8 armed forces as notaries public; and providing for an
9 effective date."

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

11 * Section 1. AS 44.50.020 is amended to read:

12 Sec. 44.50.020. QUALIFICATIONS. A person appointed as a notary
13 public must be, at the time of submitting an application, a resident of
14 this state and at least 19 years of age, except those persons appointed
15 under AS 44.50.175 shall be a resident or on active duty in the armed
16 forces stationed in Alaska. In this section, "resident" means a person
17 who maintains a permanent place of abode in Alaska, and is in fact
18 living in Alaska.

19 * Sec. 2. AS 44.50.040 is amended to read:

20 Sec. 44.50.040. FEES. A fee of \$20 shall be paid to the lieu-
21 tenant governor for each commission issued other than to a person com-
22 missioned under AS 44.50.170 or 44.50.175 [STATE EMPLOYEE].

23 * Sec. 3. AS 44.50.120 is amended to read:

24 Sec. 44.50.120. BOND. Every person appointed a notary public
25 after July 1, 1961, except persons appointed under AS 44.50.175, shall
26 execute an official bond of \$1,000, approved by the clerk of the
27 superior court.

28 * Sec. 4. AS 44.50.130 is amended to read:

29 Sec 44.50.130. FILING OATH AND BOND. (a) An application for a

1 notary public commission shall include a statement under oath that the
2 applicant is a resident of Alaska, as defined in AS 44.50.020 or that
3 the applicant is a member of the armed forces stationed in Alaska
4 applying under AS 44.50.175.

5 (b) A person appointed a notary public shall file his bond, as
6 required, and the oath set out in AS 39.05.130 with the lieutenant
7 governor. The oath must be notarized and signed by the appointee.

8 * Sec. 5. AS 44.50 is amended by adding new sections to read:

9 Sec. 44.50.175. COMMISSIONED OFFICERS OR COMMANDERS OF UNITS OF
10 THE ARMED FORCES AS NOTARIES. (a) The lieutenant governor may appoint
11 and commission as notaries public, commissioned officers of the armed
12 forces in the state and persons other than commissioned officers
13 commanding an armed forces unit in the state. Notaries public so
14 commissioned may not perform the duties as listed in AS 44.50.060
15 except for armed forces personnel, their spouses and dependents. If a
16 member of the armed forces is appointed and commissioned under this
17 section, he may not charge fees for filing or issuing a document in
18 connection with the appointment.

19 (b) A notary public applying for a commission under this section
20 shall include with his application a certificate executed by his
21 commanding officer stating that the appointment is necessary and that
22 the services will be performed for military personnel, their spouses
23 and dependents. When the certificate is filed with the lieutenant
24 governor, the notary is not required to pay a fee under AS 44.50.040 or
25 post a bond under AS 44.50.120.

26 (c) Notwithstanding AS 44.50.030 the commission of a notary under
27 this section is revoked upon

- 28 (1) discharge from the armed forces;
29 (2) assignment outside Alaska.

1 Sec. 44.50.200. DEFINITION. In this chapter "armed forces" means
2 the armed forces of the United States, the Alaska National Guard, the
3 Alaska Naval Militia, and the Alaska State Militia.

4 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-
5 070(c).

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