

Original sponsor: Rules/Legislative Council

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 CS FOR SENATE BILL NO. 107 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act making corrective amendments to the Alaska
7 Statutes as recommended by the revisor of statutes;
8 and providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 06.30.720 is amended to read:
11 Sec. 06.30.720. PETITION BY COMMISSIONER. The commissioner,
12 acting through the attorney general, may apply to the superior court
13 for the appointment of a receiver, if in the [HIS] judgment of the
14 commissioner the public interest requires it and [EITHER]
15 (1) irregularities complained of in an order of the commis-
16 sioner under AS 06.01.030 [AS PROVIDED IN SEC. 660 OF THIS CHAPTER]
17 are not corrected; [, OR]
18 (2) irregularities complained of in a petition for the
19 appointment of a conservator are not corrected; [,] or
20 (3) an [IN THE CASE OF ANY] emergency exists.
21 * Sec. 2. AS 08.03.010(a) and (b) are repealed.
22 * Sec. 3. AS 08.04.500(a) is amended to read:
23 (a) A person may not assume or use the title or designation
24 "certified public accountant" or the abbreviation "CPA" or any other
25 title, designation, word, letter, abbreviation, sign, card, or device
26 tending to indicate that person is a certified public accountant,
27 unless the person has received a certificate, holds a live permit
28 [ISSUED UNDER AS 08.04.390 - 08.04.440, HEREINAFTER REFERRED TO AS A
29 "LIVE" PERMIT], and all of the person's offices in this state for the

1 practice of public accounting are maintained and registered as re-
2 quired by AS 08.04.350 - 08.04.380.

3 * Sec. 4. AS 08.04.510(b) is amended to read:

4 (b) A partnership or corporation of certified public accountants
5 in good standing in any state, not registered as a partnership or
6 corporation of certified public accountants under AS 08.04.240 [AND
7 08.04.250] but holding a permit under AS 08.04.420, may use the title
8 or designation "certified public accountants."

9 * Sec. 5. AS 08.04.680 is amended to read:

10 Sec. 08.04.680. DEFINITIONS. In this chapter [AS USED IN AS 08.
11 04.010 - 08.04.690]

12 (1) "board" means the Board of Public Accountancy;

13 (2) "certificate" means certificate as a certified public
14 accountant;

15 (3) "license" means license as a public accountant;

16 (4) "live permit" means a permit issued under AS 08.04.-
17 390 - 08.04.440 [REPEALED].

18 * Sec. 6. AS 08.62.020 is amended to read:

19 Sec. 08.62.020. APPOINTMENT AND TERM OF OFFICE. The governor
20 shall appoint the pilot and agent or manager members of the board,
21 subject to confirmation by a majority of the members of the legisla-
22 ture in joint session, for terms of four years, or until their succes-
23 sors are appointed. A [THE FIRST MEMBERS SHALL BE INITIALLY APPOINTED
24 FOR ONE, TWO, THREE AND FOUR YEAR TERMS. NO] person, with the excep-
25 tion of the commissioner or the commissioner's designee, may not be
26 appointed to the board for more than two consecutive terms.

27 * Sec. 7. AS 08.62.180 is amended to read:

28 Sec. 08.62.180. EXEMPTIONS. This chapter does not apply to

29 (1) vessels under enrollment, except as provided in

- 1 AS 08.62.185;
- 2 (2) fishing vessels registered in the United States or in
3 British Columbia, Canada;
- 4 (3) vessels propelled by machinery and not more than 65
5 feet in length over deck, except tugboats and towboats propelled by
6 steam [MOTORBOATS AS DEFINED IN SEC. 1 OF THE FEDERAL MOTOR BOAT ACT
7 OF 1940 (54 STAT. 163; 46 U.S.C., SEC. 526 ET SEQ.)];
- 8 (4) vessels of United States registry of less than 300
9 gross tons and tow boats of United States registry and vessels owned
10 by the State of Alaska, engaged exclusively
- 11 (A) on the rivers of Alaska, or
12 (B) in the coastwise trade on the west coast of the
13 United States including Alaska, Hawaii, and British Columbia,
14 Canada;
- 15 (5) vessels of Canada, including Canadian cruise ships,
16 engaged in frequent trade between British Columbia and Alaska, if
17 reciprocal exemptions are granted by Canada to vessels owned by the
18 State of Alaska and those of United States registry; and
- 19 (6) pleasure craft.

20 * Sec. 8. AS 08.64.205 is amended to read:

21 Sec. 08.64.205. QUALIFICATIONS FOR OSTEOPATH APPLICANTS. Each
22 osteopath applicant shall meet the qualifications prescribed in
23 AS 08.64.200(4) and (5) [AS 08.64.200(1), (4) AND (5)] and shall

24 (1) submit a certificate of graduation from the legally
25 chartered school of osteopathy approved by the board;

26 (2) submit a certificate from a hospital approved by the
27 American Medical Association or the American Osteopathic Association
28 which certifies that the osteopath has satisfactorily completed and
29 performed the duties of intern or resident physician for one year;

1 (3) take the examination required by AS 08.64.210 or be
2 certified to practice by the National Board of Examiners for Osteo-
3 pathic Physicians and Surgeons.

4 * Sec. 9. AS 08.64.209(a) is amended to read:

5 (a) Each applicant who desires to practice podiatry shall meet
6 the qualification [QUALIFICATIONS] prescribed in AS 08.64.200(4)
7 [AS 08.64.200(1) AND (4)] and shall

8 (1) submit a certificate of graduation from a legally
9 chartered school of podiatry approved by the board;

10 (2) take the examination required by AS 08.64.210; the
11 State Medical Board shall call to its aid a podiatrist of known abil-
12 ity who is licensed to practice podiatry to assist in the examination
13 and licensure of applicants for a license to practice podiatry;

14 (3) meet other qualifications of experience or education
15 which the board may require.

16 * Sec. 10. AS 08.64.225 is amended to read:

17 Sec. 08.64.225. FOREIGN MEDICAL GRADUATES. Applicants who are
18 graduates of medical colleges not accredited by the American Medical
19 Association or one of its agencies shall meet the requirements of
20 AS 08.64.200(3), (4) and (5) [AS 08.64.200(1), (3), (4) AND (5)] and
21 must have passed an examination and be certified by the Education
22 Council on Foreign Medical Graduates, or be licensed by examination in
23 another state or territory of the United States or province of Canada.

24 * Sec. 11. AS 08.64.272 is amended to read:

25 Sec. 08.64.272. RESIDENCY AND INTERNSHIP. For the limited
26 purpose of doing residency or internship work, the board may issue a
27 temporary permit to an applicant without examination if the applicant
28 meets the requirement [REQUIREMENTS] of AS 08.64.200(2) [AS 08.64.-
29 200(1) AND (2)], pays the required fee, and has been accepted by an

1 eligible institution in the state for the purpose of doing residency
2 or internship work.

3 * Sec. 12. AS 08.88.500 is repealed.

4 * Sec. 13. AS 09.17.080(a) is amended to read:

5 (a) In all actions involving fault of more than one party to the
6 action, including third-party defendants and persons who have been
7 released under AS 09.16.040 [AS 09.17.090], the court, unless other-
8 wise agreed by all parties, shall instruct the jury to answer special
9 interrogatories or, if there is no jury, shall make findings, indicat-
10 ing

11 (1) the amount of damages each claimant would be entitled
12 to recover if contributory fault is disregarded; and

13 (2) the percentage of the total fault of all of the parties
14 to each claim that is allocated to each claimant, defendant, third-
15 party defendant, and person who has been released from liability under
16 AS 09.16.040 [AS 09.17.090].

17 * Sec. 14. AS 09.17.080(c) is amended to read:

18 (c) The court shall determine the award of damages to each
19 claimant in accordance with the findings, subject to a reduction under
20 AS 09.16.040 [AS 09.17.090], and enter judgment against each party
21 liable. The court also shall determine and state in the judgment each
22 party's equitable share of the obligation to each claimant in accor-
23 dance with the respective percentages of fault.

24 * Sec. 15. AS 09.17.090 is repealed.

25 * Sec. 16. AS 09.38.115(b) is amended to read:

26 (b) The dollar amounts change on October [JULY] 1 of each even-
27 numbered year if the percentage of change, calculated to the nearest
28 whole percentage point, between the index for January [NOVEMBER] of
29 that [THE PRECEDING] year and the most recent [REFERENCE BASE] index

1 used to change the exemption amount, is 10 percent or more, but

2 (1) the portion of the percentage change in the index in
3 excess of a multiple of 10 percent is disregarded and the dollar
4 amounts change only in multiples of 10 percent of the amounts appear-
5 ing in this chapter on August 26, 1982; and

6 (2) the dollar amounts do not change if the amounts re-
7 quired by this section are those currently in effect as a result of
8 earlier application of this section.

9 * Sec. 17. AS 09.38.115(d) is amended to read:

10 (d) The Department of Labor shall adopt a regulation announcing

11 (1) on or before June [APRIL] 30 of each year in which
12 dollar amounts are to change, the changes in dollar amounts required
13 by (b) of this section; and

14 (2) promptly after the changes occur, changes in the index
15 required by (c) of this section, including, if applicable, the numer-
16 ical equivalent of the reference base index under a revised reference
17 base index and the designation or title of any index superseding the
18 index.

19 * Sec. 18. AS 11.66.280(4) is amended to read:

20 (4) "gambling enterprise" means a gambling business that
21 [WHICH]

22 (A) includes five or more persons who conduct, fi-
23 nance, manage, supervise, direct, or own all or part of the
24 business;

25 (B) has been or remains in substantially continuous
26 operation for a period in excess of 30 days or has a gross income
27 of \$2,000 or more in any single day; and

28 (C) is not a municipality or a qualified organization
29 under AS 05.15.210 [AS 05.15.210(15)], except that, for purposes

1 of this paragraph, no application for a license under AS 05.15
2 [AS 05.15.210(15)] is required to be considered a qualified
3 organization;

4 * Sec. 19. AS 14.07.058(f) is repealed.

5 * Sec. 20. AS 14.17.140(b) is amended to read:

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

9 * Sec. 21. AS 14.20.420(a) is amended to read:

10 (a) The term of office for each member of the commission is
11 three years and until a successor is appointed [, EXCEPT THAT MEMBERS
12 OF THE FIRST COMMISSION SHALL BE APPOINTED AS FOLLOWS: THREE MEMBERS
13 FOR ONE YEAR, THREE MEMBERS FOR TWO YEARS, AND THREE MEMBERS FOR THREE
14 YEARS. MEMBERS OF THE FIRST COMMISSION SHALL DRAW BY LOT FOR THE
15 INITIAL TERM OF APPOINTMENT].

16 * Sec. 22. AS 14.42.030(b) is amended to read:

17 (b) The commission shall

18 (1) develop a comprehensive statewide plan for coordinated
19 postsecondary education in the state and serve as the state commission
20 on postsecondary education required under sec. 1202 of Title XII of
21 the Higher Education Act of 1965, as amended by the Education Amend-
22 ments of 1972 (PL 92-318, sec. 196; 86 Stat. 324);

23 (2) establish a state advisory council on community col-
24 leges and develop a comprehensive statewide plan for the expansion and
25 improvement of the community colleges under sec. 1001 of Title X of
26 the Higher Education Act of 1965, as amended by the Education Amend-
27 ments of 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313);

28 (3) serve as the state agency required under secs. 105 of
29 Title I (Community Service and Continuing Education), 603 of Title VI

1 (Financial Assistance for Undergraduate Education), [AND] 704 of Title
2 VII (Construction of Academic Facilities), and Part B of Title IV
3 (Guaranteed Student Loan Program) of the Higher Education Act of 1965
4 (PL 89-329; 79 Stat. 1220, 1262; 20 U.S.C. 1005, 1123) as authorized
5 by sec. 1202(c) of Title XII of the Higher Education Act of 1965, as
6 amended by the Education Amendments of 1972 (PL 92-318, sec. 196; 86
7 Stat. 324);

8 (4) administer the provisions of AS 14.43.090 - 14.43.160
9 (student loan program), and serve as the student financial aid commit-
10 tee;

11 (5) administer the provisions of AS 14.48 (regulation of
12 postsecondary educational institutions);

13 (6) resolve any disputes that exist or arise under a con-
14 sortium or other cooperative agreement between institutions of public
15 and private higher education in the state.

16 * Sec. 23. AS 15.13.120(a)(2) is repealed.

17 * Sec. 24. AS 16.05.390(b) is amended to read:

18 (b) Each agent authorized to sell licenses or tags under AS 16.-
19 05.380 shall, as directed by the commissioner of revenue, transmit the
20 proceeds from the sales of licenses and tags, except the amount autho-
21 rized to be retained, together with a report of the sales, to the
22 commissioner for deposit in the fish and game fund or the general
23 fund. [FEES IMPOSED UNDER AS 16.05.340(e) SHALL BE COLLECTED AND
24 TRANSMITTED IN THE SAME MANNER.]

25 * Sec. 25. AS 16.05.430(a) is amended to read:

26 (a) A person who violates AS 16.05.330 - 16.05.420 or a regula-
27 tion adopted under AS 16.05.330 - 16.05.420 is guilty of a misdemeanor
28 and upon conviction is punishable by a fine of not more than \$1,000,
29 or by imprisonment for not more than six months, or by both.

1 * Sec. 26. AS 16.05.860 is amended to read:

2 Sec. 16.05.860. PENALTY FOR VIOLATING FISHWAY AND HATCHERY
3 REQUIREMENTS. (a) The owner of a dam or obstruction who fails to
4 comply with AS 16.05.840 or 16.05.850 or a regulation adopted under
5 AS 16.05.840 or 16.05.850 within a reasonable time specified by writ-
6 ten notice from the commissioner is guilty of a misdemeanor, and is
7 punishable by a fine of not more than \$1,000. Each day the owner
8 fails to comply constitutes a separate offense.

9 (b) In addition to the fine, the dam or other obstruction
10 managed, controlled, or owned by a person violating AS 16.05.840 or
11 16.05.850 or a regulation adopted under AS 16.05.840 or 16.05.850 is a
12 public nuisance and is subject to abatement.

13 * Sec. 27. AS 16.05.925 is amended to read:

14 Sec. 16.05.925. PENALTY FOR VIOLATIONS. Except as provided in
15 AS 16.05.430, 16.05.720, 16.05.831, and 16.05.860, a [A] person who
16 violates AS 16.05.920, or a regulation adopted under this chapter or
17 AS 16.20, is guilty of a class A misdemeanor. [HOWEVER, A PERSON WHO
18 VIOLATES A REGULATION ADOPTED UNDER THIS CHAPTER FOR THE REGULATION OF
19 COMMERCIAL FISHERIES IS SUBJECT TO THE PENALTIES SET OUT IN AS 16.05.-
20 720.]

21 * Sec. 28. AS 16.10.475 and AS 16.30.030(3) are repealed.

22 * Sec. 29. AS 16.43.030(a) is amended to read:

23 (a) The members of the commission shall be appointed for terms
24 of four years. [INITIAL APPOINTMENTS SHALL BE AS FOLLOWS: ONE MEMBER
25 FOR TWO YEARS, ONE MEMBER FOR THREE YEARS, AND ONE MEMBER FOR FOUR
26 YEARS.]

27 * Sec. 30. AS 16.43.182 is repealed.

28 * Sec. 31. AS 16.43.980(b) is repealed.

29 * Sec. 32. The revisor of statutes shall substitute "director" for

1 "commissioner" where the latter appears in the following provisions of
2 AS 21.80 (Alaska Guaranty Association Act): AS 21.80.050(a) and (b);
3 21.80.060(a)(5) and (6); 21.80.070(a), (c)(7) and (8), and (d); 21.80.080;
4 21.80.110; 21.80.120; 21.80.150; and 21.80.170(a) and (b).

5 * Sec. 33. AS 22.15.240(c) is amended to read:

6 (c) An appeal from the district court is governed by the Rules
7 of Appellate Procedure [SHALL BE TAKEN WITHIN 30 DAYS FROM THE DATE OF
8 ENTRY OF THE JUDGMENT. ALL APPEALS SHALL BE ON THE RECORD].

9 * Sec. 34. AS 22.15.240(d) is repealed.

10 * Sec. 35. AS 29.10.200(43) is amended to read:

11 (43) AS 29.45.700(d) (sales and use tax) [AS 29.45.700(a)
12 (POWER OF LEVY)]

13 * Sec. 36. AS 29.45.230(e) is amended to read:

14 (e) In this section "disaster" means a major disaster declared
15 by the President of the United States under [THE PROVISIONS OF 42
16 U.S.C. SEC. 1855 - 1855g (FEDERAL DISASTER ACT OF 1950), OR OTHER]
17 federal law [,] or a disaster declared by the governor under AS 26.-
18 23.010 - 26.23.110.

19 * Sec. 37. AS 29.45.700(a) is amended to read:

20 (a) A city in a borough that levies and collects areawide sales
21 and use taxes may levy sales and use taxes on all sources taxed by the
22 borough in the manner provided for boroughs. Except as provided in
23 (d) of this section, the [THE] assembly may by ordinance authorize a
24 city to levy and collect sales and use taxes on other sources [EXCEPT
25 PURCHASES MADE WITH FOOD COUPONS, FOOD STAMPS, OR OTHER TYPE OF CER-
26 TIFICATE ISSUED UNDER 7 U.S.C. 2011 - 2025 (FOOD STAMP ACT). THIS
27 SUBSECTION APPLIED TO HOME RULE AND GENERAL LAW MUNICIPALITIES].

28 * Sec. 38. AS 29.45.700 is amended by adding a new subsection to read:

29 (d) A city that levies and collects sales and use taxes under

1 (a) of this section may not levy and collect a sales tax on a purchase
2 made with food coupons, food stamps, or other type of certificate
3 issued under 7 U.S.C. 2011 - 2025 (Food Stamp Act). This subsection
4 applies to home rule and general law municipalities.

5 * Sec. 39. Sections 35, 37, and 38 of this Act are retroactive to
6 October 1, 1986.

7 * Sec. 40. AS 33.30 is amended by adding a new section to read:

8 Sec. 33.30.026. CONTRACTS. Contracting for services under this
9 chapter is governed by AS 36.30 (State Procurement Code).

10 * Sec. 41. AS 33.30.031(c) is amended to read:

11 (c) Notwithstanding AS 36.30.300 [AS 37.05.230(1)(B)], an agree-
12 ment with a private agency to provide necessary facilities under (a)
13 of this section must be based on competitive bids.

14 * Sec. 42. AS 35.15.060 is repealed.

15 * Sec. 43. AS 35.27.030(1) and AS 35.30.040(1) are repealed.

16 * Sec. 44. AS 36.25.020(c) is amended to read:

17 (c) A suit brought under this section shall be brought in the
18 name of the state or the political subdivision of the state for the
19 use of the person suing in the district or superior court. A suit
20 under this section is subject to AS 08.18.151. A [NO] suit may not be
21 started after the expiration of one year after the date of final
22 settlement of the contract. The state or political subdivision of the
23 state is not liable for costs or expenses of the suit.

24 * Sec. 45. AS 36.30.730 is amended by adding a new subsection to read:

25 (f) The commissioner shall separately account for fees collected
26 under (c) and (d) of this section and deposited in the general fund.
27 The annual estimated balance in the account may be used by the legis-
28 lature to make appropriations to the department to carry out the
29 purposes of (c) and (d) of this section.

1 * Sec. 46. AS 36.30.900 is amended to read:

2 Sec. 36.30.900. PREFERENCE FOR ALASKA PRODUCTS. This chapter
3 does not modify, amend, or alter AS 36.15.010 and 36.15.020 regarding
4 preference for Alaska forest products, or AS 36.15.050 and 36.15.060
5 regarding preference for Alaska agricultural and fisheries products
6 [AS 36.20.010 REGARDING PREFERENCE TO PRODUCERS OR DEALERS IN ALASKA]
7 except as provided in AS 36.30.170(b) and (c).

8 * Sec. 47. AS 36.90.050(b) is amended to read:

9 (b) The competitive bid provisions of AS 36.30 [AS 37.05.230 AND
10 THE COMPETITIVE BIDDING PROVISIONS OF ANY OTHER LAW] do not apply to a
11 contract for the maintenance or repair of a marine vessel owned by the
12 state if the contract is awarded to a facility in the state.

13 * Sec. 48. AS 37.05.157, 37.05.158, and AS 37.07.062(c)(4) are re-
14 pealed.

15 * Sec. 49. AS 37.10.088(b) is amended to read:

16 (b) The [UNTIL JUNE 30, 1980, THE TOTAL OF ADVANCES IN ANY
17 FISCAL YEAR MAY NOT EXCEED 20 PER CENT OF THE TOTAL OF GRANTS AND
18 CONTRACTS FROM FEDERAL AND PRIVATE SOURCES APPROPRIATED TO THE UNIVER-
19 SITY FOR THAT FISCAL YEAR. AFTER JUNE 30, 1980, THE] total of ad-
20 vances in a [ANY] fiscal year may not exceed 10 percent of the total
21 of grants and contracts from federal and private sources appropriated
22 to the university for that fiscal year. The amounts advanced in a
23 [ANY] fiscal year shall be repaid in full to the department within 120
24 days following the close of that fiscal year. If the repayment is not
25 made on a timely basis, the department may withhold amounts due from
26 state fund appropriations for the university.

27 * Sec. 50. AS 37.20.040 is repealed.

28 * Sec. 51. AS 37.25.030 is repealed.

29 * Sec. 52. AS 38.09.100 is amended to read:

1 Sec. 38.09.100. LESSEES OF REMOTE PARCELS. (a) A lessee of a
2 remote parcel under former AS 38.05.077 may elect to obtain title to
3 the remote parcel under AS 38.09.050. If a lessee of a remote parcel
4 elects to obtain title under AS 38.09.050, July 28, 1983, shall be
5 considered the date of the issuance of the homestead entry permit.

6 (b) Except as provided in (a) of this section, nothing in
7 this chapter affects the rights and obligations of lessees of remote
8 parcels under former AS 38.05.077.

9 * Sec. 53. AS 39.05.100(a) is amended to read:

10 (a) A person appointed to a board or commission of the state
11 government [,] shall be and have been before the last general elec-
12 tion, (1) a registered voter in the state, if the appointment is made
13 at large or (2) a registered voter from the judicial district, if the
14 appointment is made from a specific judicial district. The student
15 member of the Board of Regents of the University of Alaska appointed
16 under AS 14.40.150(b) and the student member of the Alaska Commission
17 on Postsecondary Education appointed under AS 14.42.015(e) are exempt
18 from the requirement of this subsection if the member was not old
19 enough to be a registered voter in the last general election.

20 * Sec. 54. AS 39.25.110(11)(C) and AS 39.50.200(b)(43) are repealed.

21 * Sec. 55. AS 43.05.210 is repealed.

22 * Sec. 56. AS 43.70.020(b) is amended to read:

23 (b) Application for a renewal of a license and payment of the
24 annual [INITIAL] fee under AS 43.70.030 shall be made before Febru-
25 ary 1 of each year.

26 * Sec. 57. AS 43.70.030(d), 43.70.040, and 43.70.110(2) and (3) are
27 repealed.

28 * Sec. 58. AS 43.70.090 is amended to read:

29 Sec. 43.70.090. REGULATIONS. The department may adopt

1 regulations necessary to determine and collect the fees imposed by
2 this chapter [AND MAY ADOPT REGULATIONS DEFINING THE NECESSARY METHODS
3 OF COMBINATION AND APPORTIONMENT FOR MULTISTATE FINANCIAL INSTITUTIONS
4 REQUIRED TO FILE UNDER THIS CHAPTER].

5 * Sec. 59. AS 44.62.175(a)(4) is amended to read:

6 (4) notices of state agency requests for proposals issued
7 under AS 18.55.255, 18.55.320; AS 36.30.210; AS 37.05.316; AS 38.05.-
8 120; and AS 43.40.010;

9 * Sec. 60. AS 44.62.330(a)(46) is repealed.

10 * Sec. 61. AS 45.55.040(b) is amended to read:

11 (b) The administrator may by regulation or order require an
12 applicant for initial registration to publish an announcement of the
13 application in one or more specified newspapers published in this
14 state. If no denial order is in effect and no proceeding is pending
15 under AS 45.55.060, registration becomes effective at noon on the 30th
16 day after an application is filed [, EXCEPT THAT REGISTRATION BECOMES
17 EFFECTIVE UPON FILING OF THE APPLICATION BY ANY OF THE PERSONS SUBJECT
18 TO THIS CHAPTER WHO WERE DOING BUSINESS IN THIS STATE ON MAY 9, 1959].
19 The administrator may by regulation or order specify an earlier effec-
20 tive date, and the administrator may by order defer the effective date
21 until noon of the 30th day after the filing of an amendment.

22 * Sec. 62. AS 45.55.090(b) is amended to read:

23 (b) A registration statement under this section shall contain
24 the following information and be accompanied by the following docu-
25 ments in addition to the information specified in AS 45.55.110(c) and
26 the consent to service of process required by AS 45.55.260(g):

27 (1) one copy [THREE COPIES] of the latest form of prospec-
28 tus filed under the Securities Act of 1933;

29 (2) if the administrator requires, copies of the articles

1 of incorporation and bylaws (or their substantial equivalent) cur-
2 rently in effect, a copy of an agreement with or among underwriters, a
3 copy of an indenture or other instrument governing the issuance of the
4 security to be registered, and a specimen or copy of the security;

5 (3) if the administrator requests, any other information,
6 or copies of any other documents, filed under the Securities Act of
7 1933; and

8 (4) an undertaking to forward all future amendments to the
9 federal prospectus, other than an amendment which merely delays the
10 effective date of the registration statement, promptly and in any
11 event not later than the first business day after the day they are
12 forwarded to or filed with the Securities and Exchange Commission,
13 whichever first occurs.

14 * Sec. 63. AS 45.88.030(d) is amended to read:

15 (d) All principal and interest payments on loans made under this
16 chapter shall be paid into the alternative [TECHNOLOGY AND] energy
17 revolving loan fund.

18 * Sec. 64. AS 45.88.030(e) is amended to read:

19 (e) [THE RATE OF INTEREST FOR A LOAN UNDER THIS SECTION, OTHER
20 THAN A LOAN FOR AN ALTERNATIVE ENERGY SYSTEM, MAY NOT EXCEED NINE AND
21 ONE-HALF PERCENT A YEAR ON THE UNPAID BALANCE OF THE LOAN.] The rate
22 of interest for a loan for an alternative energy system is five per-
23 cent for the first \$15,000 of the loan and 15 percent for the amount
24 of the loan that exceeds \$15,000.

25 * Sec. 65. AS 46.15.200 is amended to read:

26 Sec. 46.15.200. TERM OF OFFICE. The term of office for members
27 of the board is four years. [THE FIRST MEMBERS APPOINTED SERVE AS
28 FOLLOWS: TWO MEMBERS SERVE FOR ONE YEAR, THREE FOR TWO YEARS AND TWO
29 FOR THREE YEARS.] If a vacancy occurs, the governor shall fill it by

1 appointment for the unexpired term. The appointment shall be submit-
2 ted to the legislature for confirmation at the next regular or special
3 session.

4 * Sec. 66. Section 65, ch. 106, SLA 1986 is amended to read:

5 Sec. 65. REPORT. By December 1, 1988, the commissioner of
6 administration and the commissioner of transportation and public
7 facilities shall report to the legislature concerning procurements by
8 state agencies during fiscal year 1987. The report must include

9 (1) a summary of the information required under AS 36.30.-
10 510 [THE RECORDS PREPARED UNDER AS 36.30.510(4)];

11 (2) recommendations for changes in AS 36.30 or other laws
12 based on implementation of AS 36.30 in those 12 months; and

13 (3) a description of any matters that involved litigation
14 concerning AS 36.30 during those 12 months.

15 * Sec. 67. This Act takes effect July 1, 1987.