

1 IN THE HOUSE BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

2 HOUSE BILL NO. 148

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH 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 04.16.051(b) is amended to read:

11 (b) This section does not prohibit the furnishing or delivery of
12 an alcoholic beverage

13 (1) by a parent to the parent's child, by a guardian to the
14 guardian's ward, or by a person to the legal spouse of that person if
15 the furnishing or delivery occurs off licensed premises; or

16 (2) by a licensed physician or nurse to a patient in the
17 course of administering medical treatment.

18 * Sec. 2. AS 05.05.030(c) is amended to read:

19 (c) Each member of the commission [COMMISSIONER] shall attend
20 and supervise all boxing and wrestling events in the member's [COMMISS-
21 SIONER'S] area unless an official inspector attends the event under
22 AS 05.10.110. A member may attend [, AND] other athletic events in
23 the member's [THAT] area that [WHICH] the member [COMMISSIONER] con-
24 siders necessary. A member [AND] may provide for the attendance of a
25 physician whose fees shall be paid for by the promoter or manager of
26 the event [PROGRAM].

27 * Sec. 3. AS 05.05.040 is amended to read:

28 Sec. 05.05.040. MEETINGS AND COMPENSATION OF ATHLETIC COMMIS-
29 SION. The commission may meet at least once a year at the call of the

1 governor. When called, the members of the commission may, at the
2 election of the governor, receive travel expenses incurred in carrying
3 out the purposes of this chapter. A member [THE COMMISSIONERS] may
4 receive the per diem allowance for time spent at meetings allowed by
5 law or by executive order.

6 * Sec. 4. AS 08.84.030(a) is amended to read:

7 (a) To be eligible for licensure by the board as a physical
8 therapist or physical therapy assistant, an applicant, unless a gradu-
9 ate of a foreign school of physical therapy located outside the United
10 States, shall

11 (1) [REPEALED

12 (2)] have graduated from a school of physical therapy
13 approved by the Council on Medical Education and Hospitals of the
14 American Medical Association, or the American Physical Therapy Associ-
15 ation;

16 (2) [(3)] pass to the satisfaction of the board an examina-
17 tion prepared by [THE PROFESSIONAL EXAMINATION SERVICE ASSOCIATION OR
18 BY] a national testing service approved by the board to determine the
19 applicant's fitness for practice as a physical therapist or physical
20 therapy assistant, or be entitled to licensure without examination as
21 provided in AS 08.84.060;

22 (3) [(4)] meet qualifications for licensure established in
23 regulations adopted by the board under AS 08.84.010(b)(8).

24 * Sec. 5. AS 09.20.040 is amended to read:

25 Sec. 09.20.040. COMPLIANCE WITH STATUTE. The selection of
26 jurors shall be made in substantial compliance with AS 09.20.040 -
27 09.20.090 [THE FOLLOWING PROVISIONS]. A failure in substantial com-
28 pliance which prejudices the rights of a party is reversible error.

29 * Sec. 6. AS 09.30.170 is amended to read:

1 Sec. 09.30.170. DEFINITIONS. In AS 09.30.100 - 09.30.180

2 (1) "foreign state" means a governmental unit other than
3 the United States, or a state, district, commonwealth, territory, or
4 insular possession thereof [, OR THE PANAMA CANAL ZONE, THE TRUST
5 TERRITORY OF THE PACIFIC ISLAND, OR THE RYUKYU ISLANDS];

6 (2) "foreign judgment" means a judgment of a foreign state
7 granting or denying recovery of a sum of money other than a judgment
8 for taxes, a fine or other penalty, or a judgment for support in
9 matrimonial or family matters.

10 * Sec. 7. AS 10.06.343 is amended to read:

11 Sec. 10.06.343. STOCK RIGHTS AND OPTIONS. Subject to a pro-
12 vision in its articles, a corporation may create and issue, whether or
13 not in connection with the issuance and sale of any of its shares or
14 other securities, rights, or options entitling the holders of the
15 rights or options [SHARES] to purchase from the corporation shares of
16 any class or classes. These rights or options shall be evidenced in
17 the manner the board approves and, subject to the provisions of the
18 articles, shall set out the terms upon which, the time within which,
19 and the price at which the shares may be purchased from the corpo-
20 ration upon the exercise of the right or option. If the rights or
21 options are to be issued to directors, officers, or employees of the
22 corporation or of a subsidiary of the corporation and not to the
23 shareholders generally, their issuance shall be authorized by the
24 approval of the outstanding shares or shall be consistent with a plan
25 so approved or ratified. In the absence of fraud in the transaction,
26 the judgment of the board as to the adequacy of the consideration
27 received for the rights or options is conclusive.

28 * Sec. 8. AS 10.15.255 is amended to read:

29 Sec. 10.15.255. TERMINATION OF RECORDED CONTRACT. When a

1 contract recorded under AS 10.15.230 - 10.15.260 has been terminated
2 in any manner, the cooperative shall upon demand, give a statement of
3 termination to the member party to the contract, who may record the
4 statement in the office of the recorder where the contract was orig-
5 inally recorded. The recorder shall stamp "expired" after the name of
6 the member in the alphabetical record. The fee for the recording and
7 stamping shall be established by the department by regulation. An
8 increase in a fee established under this section may not exceed an
9 amount that, as a percentage of the amount of the fee charged before
10 the increase, equals the percentage increase in the consumer price
11 index for Anchorage, published by the United States Department of
12 Labor, Bureau of Labor Statistics, from the year in which the fee was
13 last increased [SUBJECT TO AS 10.05.773].

14 * Sec. 9. AS 10.15.260 is amended to read:

15 Sec. 10.15.260. RECORDING OF LIST OF TERMINATED CONTRACTS. A
16 cooperative may record in the office of the recorder where the con-
17 tract was originally recorded a sworn list of the names of all persons
18 whose contracts have been terminated in a manner other than by expira-
19 tion of their term. The recorder shall stamp "expired" after the name
20 of each of those persons in the alphabetical record. The fee for the
21 recording and stamping shall be established by the department by
22 regulation. An increase in a fee established under this section may
23 not exceed an amount that, as a percentage of the amount of the fee
24 charged before the increase, equals the percentage increase in the
25 consumer price index for Anchorage, published by the United States
26 Department of Labor, Bureau of Labor Statistics, from the year in
27 which the fee was last increased [SUBJECT TO AS 10.05.773].

28 * Sec. 10. AS 11.41.432 is amended to read:

29 Sec. 11.41.432. DEFENSES [DEFENSE]. (a) It is a defense to a

1 crime charged under AS 11.41.410(a)(3), 11.41.420(a)(2), 11.41.-
2 420(a)(3), or 11.41.425 that the offender is

3 (1) mentally incapable; or

4 (2) married to the person and neither party has filed with
5 the court for a separation, divorce, or dissolution of the marriage.

6 (b) Except as provided in (a) of this section, in a prosecution
7 under AS 11.41.410 or 11.41.420, it is not a defense that the victim
8 was, at the time of the alleged offense, the legal spouse of the
9 defendant.

10 * Sec. 11. AS 11.41.470(2) is amended to read:

11 (2) "mentally incapable" means suffering [A PERSON WHO
12 SUFFERS] from a mental disease or defect that renders the person
13 incapable of understanding the nature of consequences of the person's
14 conduct, including the potential for harm to that person;

15 * Sec. 12. AS 12.36.050(a) is amended to read:

16 (a) A claimant seeking remission of [, OR REMITTANCE OF THE
17 VALUE OF,] the claimant's interest in a weapon ordered forfeited under
18 AS 12.55.015(a)(9) shall prove to the court by a preponderance of evi-
19 dence that the claimant

20 (1) has a valid interest in the weapon, acquired in good
21 faith;

22 (2) did not knowingly participate in the commission of the
23 crime in which the weapon was used; and

24 (3) did not know or have reasonable cause to believe that
25 the weapon was used or would be used to commit a crime.

26 * Sec. 13. AS 14.03.085 is amended to read:

27 Sec. 14.03.085. PROCUREMENT PREFERENCE FOR RECYCLED ALASKA
28 PRODUCTS. A school district shall comply with AS 29.71.050, except
29 that in AS 29.71.050(b), "AS 29.71.040" is read as "AS 36.15.050."- an

1 in AS 29.71.050(a) - (c) and (e) [AS 29.71.050(a) - (e) and (g)],
2 "municipal" and "municipality" are read as "school district." In this
3 section, "school district" does not include regional educational
4 attendance areas.

5 * Sec. 14. AS 14.25.220(20) is amended to read:

6 (20) "member contribution account" means the total maintain-
7 ed by the system of the member's mandatory contributions, indebtedness
8 principal and interest payments [CONTRIBUTIONS], interest credited to
9 each of those accounts, and adjustments to the account in accordance
10 with AS 14.25.173 [AS 14.25.170];

11 * Sec. 15. AS 14.30.070(c) is amended to read:

12 (c) Examinations shall be made by a competent physician or,
13 within the scope of chiropractic practice, by a chiropractor, except
14 that if the services of a physician or chiropractor cannot be obtained
15 or if authorized by the commissioner of health and social services
16 examinations may be made by a nurse.

17 * Sec. 16. AS 15.13.040(d) is amended to read:

18 (d) Every individual, person or group making a contribution or
19 expenditure shall make a full report, upon a form prescribed by the
20 commission, of the following contributions or expenditures:

21 (1) any contribution of cash, goods or services valued at
22 more than \$250 [\$100] a year to any group or candidate; or

23 (2) any expenditure whatsoever for advertising in newspa-
24 pers, on radio or on television; or, for the publication, distribution
25 or circulation of brochures, flyers, or other campaign material for
26 any candidate or ballot proposition or question.

27 * Sec. 17. AS 15.25.030(a)(6) is amended to read:

28 (6) the full residence [RESIDENT] address of the candidate;

29 * Sec. 18. AS 16.43.210(a) is amended to read:

1 (a) Pending the establishment of the maximum number of entry
2 permits under AS 16.43.240 and the issuance of entry permits under AS
3 16.43.270, the commission shall issue interim-use permits under regu-
4 lations adopted by the commission for each fishery, to all applicants
5 who can establish their present ability to participate actively in the
6 fishery for which they are making application [, EXCEPT AS PROVIDED
7 UNDER (e) OF THIS SECTION].

8 * Sec. 19. AS 22.15.210(b) is amended to read:

9 (b) A magistrate, while holding office, may not hold office in a
10 political party. A magistrate may hold any other office or position
11 of profit under the United States, the state or its political subdivi-
12 sions, or engage in the conduct of any profession or business that
13 [WHICH] does not interfere with the performance of the judicial duties
14 of the magistrate or require that the magistrate is repeatedly dis-
15 qualified, on the magistrate's own motion, [DISQUALIFY HIMSELF OR
16 HERSELF] from judicial service because of a conflict of interest
17 caused thereby.

18 * Sec. 20. AS 22.20.020(c) is amended to read:

19 (c) If a judicial officer is disqualified on the officer's own
20 motion [DISQUALIFIES HIMSELF OR HERSELF] or consents to disqualifica-
21 tion, the presiding judge of the district shall immediately transfer
22 the action to another judge of that district to which the objections
23 of the parties do not apply or are least applicable and if there is no
24 such judge, the chief justice of the supreme court shall assign a
25 judge for the hearing or trial of the action. If a judicial officer
26 denies disqualification the question shall be heard and determined by
27 another judge assigned for the purpose by the presiding judge of the
28 next higher level of courts or, if none, by the other members of the
29 supreme court. The hearing may be ex parte and without notice to the

1 parties or judge.

2 * Sec. 21. AS 24.08.330(a) is amended to read:

3 (a) The Department of Education is responsible for making offi-
4 cial distribution of the Alaska Statutes to state executive branch
5 agencies. The administrative director of the court system is respon-
6 sible for distribution to the court system. Distribution shall be
7 made on the basis of written lists submitted by the department and the
8 court system to the Legislative Affairs Agency within 90 days after
9 the last day of each regular session of the legislature [REQUESTS AND
10 JUSTIFICATIONS SUBMITTED BY THE EXECUTIVE OFFICER OF EACH AGENCY TO
11 THE LEGISLATIVE AFFAIRS AGENCY AND APPROVED BY THE EXECUTIVE DIRECTOR
12 OF THE LEGISLATIVE AFFAIRS AGENCY]. A legislator is entitled to
13 receive one set of the statutes for the member's personal use, and
14 this entitlement is restricted to the one set issued during a member's
15 entire legislative service. The commissioner of education may deposit
16 one set of the statutes in each free public library within the state.
17 The right of sale to persons and organizations remains exclusively
18 with the publisher.

19 * Sec. 22. AS 25.23.040(a) is amended to read:

20 (a) Unless consent is not required under AS 25.23.050, a petition
21 to adopt a minor may be granted only if written consent to a particu-
22 lar adoption has been executed by

23 (1) the mother of the minor;

24 (2) the father of the minor, if the father was married to
25 the mother at the time the minor was conceived or at any time after
26 conception, the minor is the father's child by adoption, or the father
27 has otherwise legitimated the minor under the laws of the state;

28 (3) any person lawfully entitled to custody of the minor or
29 empowered to consent;

1 (4) the court having jurisdiction to determine custody of
2 the minor, if the legal guardian or custodian of the person of the
3 minor is not empowered to consent to the adoption;

4 (5) the minor, if [MORE THAN] 10 years of age or older,
5 unless the court in the best interest of the minor dispenses with the
6 minor's consent; and

7 (6) the spouse of the minor to be adopted.

8 * Sec. 23. AS 33.32.015(b)(5) is amended to read:

9 (5) subject to the provisions of AS 36.30 (State Procure-
10 ment Code) and AS 37.05 (Fiscal Procedures Act), enter into joint
11 cooperative ventures with private industry for the establishment and
12 operation of "Free Venture" industries under AS 33.32.017, if the
13 Correctional Industries Commission determines at the time of inception
14 that the "Free Venture" industry will not compete with an existing
15 private industry or labor force in the state.

16 * Sec. 24. AS 37.14.210 is amended to read:

17 Sec. 37.14.210. POWERS AND DUTIES OF THE COMMISSIONER OF REVE-
18 NUE. The commissioner of revenue is the treasurer of the fund and has
19 the power and duty to:

20 (1) act as official custodian of the cash and investments
21 belonging to the fund by securing adequate and safe custodial facil-
22 ities;

23 (2) receive all items of cash and investments belonging to
24 the fund;

25 (3) collect the principal and income from investments owned
26 or acquired by the fund and deposit the amounts in separate principal
27 and income accounts for the fund;

28 (4) invest and reinvest the assets of the fund as provided
29 in this section and as provided for the investment of surplus pension

1 funds under AS 14.25.180(c) and AS 37.14.170 [FORMER AS 39.35.110(a),
2 (c), (e), (f), (h) AND (i)];

3 (5) exercise the powers of an owner with respect to the
4 assets of the fund;

5 (6) maintain accounting records of the fund in accordance
6 with investment accounting principles and with distinction between the
7 principal and income accounts of the fund;

8 (7) engage an independent firm of certified public accoun-
9 tants to annually audit the financial condition of the fund's invest-
10 ments and investment transactions;

11 (8) enter into and enforce contracts or agreements consider-
12 ed necessary for the investment purposes of the fund;

13 (9) report to the board the condition and investment perfor-
14 mance of the fund;

15 (10) do all acts, whether or not expressly authorized, that
16 the commissioner of revenue considers necessary or proper in adminis-
17 tering the assets of the fund.

18 * Sec. 25. AS 37.15.300 is amended to read:

19 Sec. 37.15.300. BORROWING IN ANTICIPATION OF SALE OF BONDS
20 PERMITTED. When the state bond committee considers it in the best
21 interests of the state, it may borrow money in anticipation of the
22 sale of general obligation and revenue bonds if money to be derived
23 from the sale of the bonds has been appropriated by the legislature
24 and

25 (1) in the case of revenue bonds, the bonds to be sold have
26 been authorized by law; or

27 (2) in the case of [(1) THE] general obligation bonds, the
28 bonds to be sold have been

29 (A) authorized by law and ratified by a majority vote

1 of the qualified voters of the state who vote on the question; or
2 (B) [(2) THE GENERAL OBLIGATION BONDS TO BE SOLD HAVE
3 BEEN] authorized by law for the purpose of meeting natural disas-
4 ters, repelling invasion, suppressing insurrection, or defending
5 the state in war [; OR

6 (3) THE REVENUE BONDS TO BE SOLD HAVE BEEN AUTHORIZED BY
7 LAW; AND

8 (4) MONEY TO BE DERIVED FROM THE SALE OF GENERAL OBLIGATION
9 AND REVENUE BONDS HAS BEEN APPROPRIATED BY THE LEGISLATURE].

10 * Sec. 26. AS 38.04.910(4) is amended to read:

11 (4) "long-term lease" means a lease for a term of more than
12 10 years [OR MORE];

13 * Sec. 27. AS 38.05.965(20) is amended to read:

14 (20) "submerged land" means land covered by tidal water
15 between the line of mean low tide [WATER] and seaward to a distance of
16 three geographical miles or further as may hereafter be properly
17 claimed by the state;

18 * Sec. 28. AS 43.05.120 is amended to read:

19 Sec. 43.05.120. CONCEALING PROPERTY OR EVIDENCE. A person,
20 upon conviction, is punishable by a fine of not more than \$5,000 or by
21 imprisonment for not more than one year, or by both, if, in connection
22 with a compromise under AS 43.05.070 or offer of a compromise or in
23 connection with a closing agreement under AS 43.05.060 [AS 43.05.010 -
24 43.05.130] or offer to enter a closing agreement, the person wilfully

25 (1) conceals from an officer or employee of the state prop-
26 erty belonging to the estate of the taxpayer or other person liable
27 for the tax; or

28 (2) receives, destroys, mutilates, or falsifies a book,
29 document, or record or makes a false statement under oath relating to

1 the estate or the financial condition of the taxpayer or to the person
2 liable for the tax.

3 * Sec. 29. AS 44.19.257(a) is amended to read:

4 (a) The commission is composed of the senior science advisor in
5 the governor's office who serves as chairperson and director of the
6 commission, the executive director of the Alaska Science and Tech-
7 nology Foundation established under AS 37.17, and six [EIGHT] members
8 appointed by the governor as follows:

9 (1) one member [IS TO BE APPOINTED] from individuals from
10 the academic institutions in the state with expertise in areas of
11 research relating to the state, including the physical, biological,
12 health, environmental, social, and behavioral sciences;

13 (2) one member [IS TO BE APPOINTED] from individuals who are
14 engaged in activities furthering the welfare of the human and physical
15 environment and who have expertise in areas of research relating to
16 the state, including the physical, biological, health, environmental,
17 social, and behavioral sciences;

18 (3) one member [IS TO BE APPOINTED] from state departments
19 with research needs;

20 (4) one member [IS TO BE APPOINTED] from individuals famil-
21 iar with the state and representative of the needs and interests of
22 private industry;

23 (5) one member [IS TO BE APPOINTED] from individuals with
24 experience in national and international research programs; and

25 (6) one member [IS TO BE APPOINTED] from the general public
26 [;

27 (7) THE EXECUTIVE DIRECTOR OF THE ALASKA SCIENCE AND TECH-
28 NOLOGY FOUNDATION ESTABLISHED UNDER AS 37.17; AND

29 (8) THE SENIOR SCIENCE ADVISOR IN THE GOVERNOR'S OFFICE,

1 WHO SERVES AS CHAIRPERSON AND DIRECTOR OF THE COMMISSION].

2 * Sec. 30. AS 44.21.240(2) is amended to read:

3 (2) "long term care facility" means a foster home or other
4 residential facility for dependent adults that is required to be
5 licensed under AS 47.35 and includes a nursing home as defined in
6 AS 08.70.180; does not include the Alaska Pioneers' Home;

7 * Sec. 31. AS 44.88.540 is amended to read:

8 Sec. 44.88.540. LIMITATIONS OF GUARANTEES FROM THE FUND. The
9 authority may not guarantee

10 [(1) A TOTAL OF MORE THAN \$50,000,000 OF LOANS;

11 (2)] more than \$25,000,000 of loans in which the amount of
12 the loan guarantee exceeds \$500,000. The cumulative amount of loan
13 guarantees made by the authority may not exceed \$50,000,000.

14 * Sec. 32. AS 45.50.150 is amended to read:

15 Sec. 45.50.150. CLASSIFICATION. The International Classifica-
16 tion of Goods and Services used by the United States Patent and Trade-
17 mark Office is [FOLLOWING GENERAL CLASSES OF GOODS ARE] established
18 for convenience of administration of AS 45.50.010 - 45.50.200. The
19 classification does [HOWEVER, THEY DO] not limit or extend the appli-
20 cant's or registrant's rights, and a single application for registra-
21 tion of a trademark may include any or all goods upon which the trade-
22 mark is actually being used comprised in a single class, but in no
23 event may a single application include goods upon which the trademark
24 is being used that [WHICH] fall within different classes of goods.

25 [THE CLASSES ARE AS FOLLOWS:

26 (1) ABRASIVES AND POLISHING MATERIALS;

27 (2) ADHESIVES;

28 (3) BAGGAGE, ANIMAL EQUIPMENT, PORTFOLIOS, AND POCKETBOOKS;

29 (4) BELTING, HOSE, MACHINERY PACKING, AND NONMETALLIC

1 **TIRES;**

- 2 (5) BROOMS, BRUSHES, AND DUSTERS;
- 3 (6) CANES, PARASOLS, AND UMBRELLAS;
- 4 (7) CHEMICALS AND CHEMICAL COMPOSITIONS;
- 5 (8) CLOTHING;
- 6 (9) CONSTRUCTION MATERIALS;
- 7 (10) CORDAGE;
- 8 (11) COSMETICS AND TOILET PREPARATIONS;
- 9 (12) CROCKERY, EARTHENWARE, AND PROCELAIN;
- 10 (13) CUTLERY, MACHINERY, AND TOOLS, AND PARTS THEREOF;
- 11 (14) DENTAL, MEDICAL, AND SURGICAL APPLIANCES;
- 12 (15) DETERGENTS AND SOAP;
- 13 (16) DISTILLED ALCOHOLIC LIQUORS;
- 14 (17) ELECTRICAL APPARATUS, MACHINES AND SUPPLIES;
- 15 (18) EXPLOSIVES, FIREARMS, EQUIPMENT, AND PROJECTILES;
- 16 (19) FANCY GOODS, FURNISHINGS, AND NOTIONS;
- 17 (20) FERTILIZERS;
- 18 (21) FILTERS AND REFRIGERATORS;
- 19 (22) FOODS AND INGREDIENTS OF FOODS;
- 20 (23) FURNITURE AND UPHOLSTERY;
- 21 (24) GAMES, TOYS, AND SPORTINGS GOODS;
- 22 (25) GLASSWARE;
- 23 (26) HARDWARE AND PLUMBING AND STEAMFITTING SUPPLIES;
- 24 (27) HEATING, LIGHTING, AND VENTILATING APPARATUS;
- 25 (28) HOROLOGICAL INSTRUMENTS;
- 26 (29) INKS AND INKING MATERIALS;
- 27 (30) JEWELRY AND PREVIOUS METALWARE;
- 28 (31) KNITTED, NETTED AND TEXTILE FABRICS, AND SUBSTITUTES

29 **FOR THEM;**

- 1 (32) LAUNDRY APPLIANCES AND MACHINES;
- 2 (33) LINOLEUM AND OILED CLOTH;
- 3 (34) LOCKS AND SAFES;
- 4 (35) MALT BEVERAGES AND LIQUORS;
- 5 (36) MEASURING AND SCIENTIFIC APPLIANCES;
- 6 (37) MEDICINES AND PHARMACEUTICAL PREPARATIONS;
- 7 (38) METALS AND METAL CASTINGS AND FORGINGS;
- 8 (39) MUSICAL INSTRUMENTS AND SUPPLIES;
- 9 (40) OILS AND GREASES;
- 10 (41) PAINTS AND PAINTERS' MATERIALS;
- 11 (42) PAPER AND STATIONERY;
- 12 (43) PRINTS AND PUBLICATIONS;
- 13 (44) RAW OR PARTLY PREPARED MATERIALS;
- 14 (45) RECEPTACLES;
- 15 (46) SMOKERS' ARTICLES, NOT INCLUDING TOBACCO PRODUCTS;
- 16 (47) SOFT DRINKS AND CARBONATED WATERS;
- 17 (48) THREAD AND YARN;
- 18 (49) TOBACCO PRODUCTS;
- 19 (50) VEHICLES;
- 20 (51) WINES;
- 21 (52) MERCHANDISE NOT OTHERWISE CLASSIFIED.]

22 * Sec. 33. AS 45.75.010 is amended to read:

23 Sec. 45.75.010. SYSTEMS OF WEIGHTS AND MEASURES. The system of
24 weights and measures in customary use in the United States and the
25 metric system of weights and measures are jointly recognized, and one
26 or the other of these systems shall be used for all commercial pur-
27 poses in the state. The definitions of basic units of weight and
28 measure, the tables of weight and measure, and weight and measure
29 equivalents, as published by the National Bureau of Standards or its

1 successor organization, the National Institute of Standards and Tech-
2 nology, govern weighing and measuring equipment and transactions in
3 the state.

4 * Sec. 34. AS 45.75.020 is amended to read:

5 Sec. 45.75.020. STATE STANDARDS OF WEIGHT AND MEASURE. The
6 weights and measures obtained by the state in conformity with them and
7 certified by the National Bureau of Standards or its successor
8 organization, the National Institute of Standards and Technology, are
9 the state standards of weight and measure. The state standards shall
10 be kept in a safe and suitable place in the office or laboratory of
11 the state division of weights and measures. They may not be removed
12 from the office or laboratory except for repairs or for certification.
13 [THE STATE STANDARDS SHALL BE SUBMITTED AT LEAST ONCE IN 10 YEARS TO
14 THE NATIONAL BUREAU OF STANDARDS FOR CERTIFICATION.] The state stan-
15 dards shall be used only in verifying the office standards and for
16 scientific purposes.

17 * Sec. 35. AS 45.75.050(d) is amended to read:

18 (d) The specifications, tolerances, and regulations for commer-
19 cial weighing and measuring devices, together with amendments to them,
20 as recommended by the National Bureau of Standards or its successor
21 organization, the National Institute of Standards and Technology, and
22 published in the National Bureau of Standards or its successor orga-
23 nization, the National Institute of Standards and Technology, Handbook
24 44 and supplements to it, or in any publication revising or supersed-
25 ing Handbook 44, are the specifications, tolerances, and regulations
26 for commercial weighing and measuring devices of the state, except as
27 specifically modified, amended, or rejected by a regulation adopted by
28 the director.

29 * Sec. 36. AS 47.10.090(a) is amended to read:

1 (a) The court shall make and keep records of all cases brought
2 before it. The court's official records may be inspected only with
3 the court's permission and only by persons having a legitimate inter-
4 est in them. All information and social records pertaining to a minor
5 and prepared by an employee of the court or by a federal, state or
6 city agency in the discharge of the employee's or agency's official
7 duty, including [TRAFFIC OFFENSES AND] driver's license action under
8 AS 28.15.185, are privileged and may not be disclosed directly or
9 indirectly to anyone without the court's permission. However, a state
10 or city law-enforcement agency shall disclose information regarding a
11 case which is needed by the person or agency charged with making a
12 preliminary investigation for the information of the court. The court
13 shall forward a record of adjudication of a violation of an offense
14 listed in AS 28.15.185(a) to the Department of Public Safety, if the
15 court imposes a license revocation under AS 28.15.185. Within 30 days
16 of the date of a minor's 18th birthday or, if the court retains juris-
17 diction of a minor past the minor's 18th birthday, within 30 days of
18 the date on which the court relinquishes jurisdiction over the minor,
19 the court shall order sealed all the court's official records, infor-
20 mation and social records pertaining to that minor, as well as records
21 of all driver's license proceedings under AS 28.15.185, criminal
22 proceedings against the minor and punishments assessed against the
23 minor except for traffic offenses. A person may not use these sealed
24 records for any purpose except that the court may order their use for
25 good cause shown or may order their use by an officer of the court in
26 making a presentencing report for the court.

27 * Sec. 37. Section 3(a), ch. 6, SLA 1986, is amended to read:

28 (a) Section 2 of this Act takes effect as follows:

29 (1) On January 1, 1991, if the International Olympic

1 Committee has announced the city [CITIES] selected to host the 1998
2 [1992 AND 1996] Winter Olympic Games, and if Anchorage, Alaska, is not
3 a city selected;

4 (2) [ON JANUARY 1, 1992, IF THE INTERNATIONAL OLYMPIC
5 COMMITTEE SELECTS ANCHORAGE, ALASKA TO HOST THE 1992 OLYMPICS;

6 (3)] on January 1, 1998 [1996], if the International
7 Olympic Committee selects Anchorage, Alaska, to host the 1998 [1996]
8 Olympics.

9 * Sec. 38. Section 11, ch. 166, SLA 1988 is amended to read:

10 Sec. 11. INDEMNIFICATION BY A CORPORATION. AS 10.06.490, as
11 enacted by sec. 1 of this Act, governs a proposed indemnification by a
12 corporation after the effective date of this Act, whether the events
13 upon which the indemnification is based occurred before or after the
14 effective date of this Act. A statement relating to indemnification
15 contained in the articles or bylaws of a corporation on the effective
16 date of this Act may limit the indemnification permitted by AS 10.06.-
17 490 if [UNLESS] the statement expressly states that indemnification is
18 limited.

19 * Sec. 39. AS 11.41.443, AS 14.07.030(9), AS 19.45.001(7), and AS 44.-
20 83.425(1) and 44.83.425(4) are repealed.

21 * Sec. 40. Sections 7 - 9 and 38 of this Act take effect July 1, 1989.

22 * Sec. 41. Except for secs. 7 - 9 and 38, this Act takes effect immedi-
23 ately under AS 01.10.070(c).

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