

SENATE CS FOR HOUSE BILL NO. 90(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/11/93
Referred: Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF LEGISLATIVE COUNCIL

A BILL

FOR AN ACT ENTITLED

1 "An Act making corrective amendments to the Alaska Statutes as recommended
2 by the revisor of statutes; and providing for an effective date."

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

4 * Section 1. AS 14.20.345(d) is amended to read:

5 (d) The governing body of the district may agree to continue the teacher's
6 retirement contributions if the teacher agrees to pay the [REQUIRED SEVEN] percent
7 required under AS 14.25.050 of the salary the teacher would have received during
8 the leave of absence and reimburse the district for the district's required retirement
9 contribution. Each year of leave of absence then would count as a year of retirement
10 service.

11 * Sec. 2. AS 15.15.070(h) is amended to read:

12 (h) An abbreviated form of the notice published under (b) of this section shall
13 be broadcast on one or more radio or television stations in each of the four judicial
14 [MAJOR ELECTION] districts. The broadcast notice must include at a minimum the

1 date of the election, the hours between which the polling places will be open, the
2 names of the newspapers in which the notice is published, and the dates of publication
3 in the newspapers.

4 * Sec. 3. AS 16.05.440 is amended to read:

5 Sec. 16.05.440. EXPIRATION DATE FOR LICENSES. Licenses issued under
6 AS 16.05.440 - 16.05.723 [AS 16.05.440 - 16.05.720] expire at the close of
7 December 31 following their issuance or, for licenses that are valid for two years, after
8 December 31 of the year after the year of issuance, and shall be renewed upon
9 application and payment of the license fees required by AS 16.05.440 - 16.05.723
10 [AS 16.05.440 - 16.05.720].

11 * Sec. 4. AS 16.05.510 is amended to read:

12 Sec. 16.05.510. UNLICENSED VESSEL UNLAWFUL. A person may not
13 operate a [OPERATION WITHOUT A VESSEL LICENSE OF ANY] vessel to which
14 AS 16.05.490 - 16.05.530 apply without a vessel license [IS UNLAWFUL], whether
15 the absence of a vessel license results from initial failure to purchase or from another
16 reason [REVOCATION BY THE COMMISSIONER].

17 * Sec. 5. AS 16.05.930(g) is amended to read:

18 (g) AS 16.05.440 - 16.05.723 [AS 16.05.330 - 16.05.720] do not apply to an
19 activity authorized by a permit issued under AS 16.40.100 or 16.40.120, or to a person
20 or vessel employed in an activity authorized by a permit issued under AS 16.40.100
21 or 16.40.120.

22 * Sec. 6. AS 16.20.590(17) is amended to read:

23 (17) Township 9 South, Range 15 West, Seward Meridian (only tide
24 and submerged land and waters east of a line from Anchor Point to Point Pogibshi);

25 * Sec. 7. AS 16.20.590 is amended by adding a new paragraph to read:

26 (22) Township 9 South, Range 12 West, Seward Meridian (only tide
27 and submerged land and waters).

28 * Sec. 8. AS 18.08.020 is amended to read:

29 Sec. 18.08.020. ADVISORY COUNCIL ON EMERGENCY MEDICAL
30 SERVICES. There is established in the department an Advisory Council on
31 Emergency Medical Services. The council shall

1 [[1]] advise the commissioner with regard to the planning and
2 implementation of a statewide emergency medical services system [;

3 (2) ASSIST THE STATEWIDE HEALTH COORDINATING
4 COUNCIL IN PERFORMING ITS DUTIES UNDER AS 18.07.011 RELATING TO
5 EMERGENCY MEDICAL SERVICES].

6 * Sec. 9. AS 18.26.030(a) is amended to read:

7 (a) The authority shall be managed and controlled by a seven-person board of
8 directors, who serve at the pleasure of the governor, consisting of

9 (1) the commissioner of revenue, who shall also chair the board;

10 (2) the commissioner of health and social services;

11 (3) the commissioner of community and regional affairs;

12 (4) four public members, appointed by the governor [FROM AMONG

13 THE NOMINEES SUBMITTED BY THE FOLLOWING:

14 (A) EACH HEALTH SYSTEMS AGENCY IN THE STATE,
15 ORGANIZED AND OPERATED IN ACCORDANCE WITH 42 U.S.C. 300
16 I - 1, WHICH SHALL SUBMIT THREE NOMINEES FROM AMONG THE
17 MEMBERS OF THAT AGENCY;

18 (B) THE STATEWIDE HEALTH COORDINATING
19 COUNCIL, ESTABLISHED BY AS 18.07.011, WHICH SHALL SUBMIT
20 TWO NOMINEES FROM AMONG THE MEMBERS].

21 * Sec. 10. AS 18.55.130(b) is amended to read:

22 (b) Except in the case of leased housing as provided in 42 U.S.C. 1437f [42
23 U.S.C. 1421b, AS AMENDED], the corporation shall fix the income limits for
24 occupancy of its low-cost housing projects and rents that are approved by the United
25 States Department of Housing and Urban Development after taking into consideration

26 (1) the family size, composition, age, physical handicaps, and other
27 factors that might affect the rent-paying ability of the family; and

28 (2) the economic factors that affect the financial stability and solvency
29 of the project.

30 * Sec. 11. AS 18.55.130(c) is amended to read:

31 (c) Rents and requirements for admission to low-cost housing projects as

1 provided in (a) and (b) of this section must be so established that a gap of at least 20
2 percent, except in the case of an elderly family or displaced family or in the case of
3 leased housing under 42 U.S.C. 1437f [42 U.S.C. 1421b, AS AMENDED], will be left
4 between the upper rental limits for admission to low-cost housing projects of the
5 corporation and the lowest rents at which private enterprise unaided by public subsidy
6 is providing housing substantially similar to the low-cost housing projects of the
7 corporation.

8 * Sec. 12. AS 18.60.315 is amended to read:

9 Sec. 18.60.315. INSPECTION STANDARDS. The 1992 [1991] edition of the
10 National Board Inspection Code Manual for Boiler and Pressure Vessel Inspectors
11 constitutes the minimum boiler and pressure vessel inspection standard of the state for
12 boilers and pressure vessels after they have received their initial inspection certificates
13 from the Department of Labor. The Department of Labor may adopt regulations for
14 the maximum practical implementation of the manual and may grant an exception from
15 a specific provision of the manual when the department determines that the
16 implementation of the provision would be impractical.

17 * Sec. 13. AS 18.60.800(a) is amended to read:

18 (a) Except as provided in this subsection, the 1990 edition of the American
19 Society of Mechanical Engineers A17.1 - 1990 [NATIONAL STANDARDS
20 INSTITUTE] Safety Code for Elevators and Escalators [(ANSI/ASME A17.1)]
21 published by the American Society of Mechanical Engineers is adopted as the
22 minimum elevator safety code in the state. Section 1001.1, Inspection and Test Periods,
23 and Part XXII, Shipboard Elevators, of the American Society of Mechanical
24 Engineers [NATIONAL STANDARDS INSTITUTE] Safety Code for Elevators and
25 Escalators, are not adopted as a part of the minimum elevator safety code in the state.

26 * Sec. 14. AS 21.18.110(f)(4) is repealed and reenacted to read:

27 (4) for annuities and guaranteed interest contracts valued on a change
28 in fund basis, the weighting factors shown in (3) of this subsection are increased by
29 .15 for plan type A, .25 for plan type B, and .05 for plan type C;

30 * Sec. 15. AS 21.18.110(f)(5) is repealed and reenacted to read:

31 (5) for annuities and guaranteed interest contracts valued on an issue

1 year basis, other than those with no cash settlement options, which do not guarantee
2 interest on considerations received more than one year after issue or purchase and for
3 annuities and guaranteed interest contracts valued on a change in fund basis which do
4 not guarantee interest rates on considerations received more than 12 months beyond
5 the valuation date, the weighting factors shown in (3) of this subsection or derived in
6 (4) of this subsection are increased by .05.

7 * Sec. 16. AS 24.60.070(a) is amended to read:

8 (a) A legislator or legislative employee shall disclose to the committee, which
9 shall maintain a public record of the disclosure and forward the disclosure to the
10 respective house for inclusion in the journal, the formation or maintenance of a close
11 economic association involving a substantial financial matter with

12 (1) a supervisor who is not a member of the legislature who has
13 responsibility or authority, either directly or indirectly, over the person's employment,
14 including preparing or reviewing performance evaluations, or granting or approving
15 pay raises or promotions; this paragraph does not apply to a public member of the
16 committee;

17 (2) legislators;

18 (3) a public official who is required to file a financial disclosure
19 statement under AS 39.50 and is not an appointed municipal officer;

20 (4) a registered lobbyist; or

21 (5) a legislative employee if the person required to make the disclosure
22 is a legislator.

23 * Sec. 17. AS 39.35.680(8) is amended to read:

24 (8) "compensation" means the total remuneration earned by an
25 employee for personal services rendered to an employer, including employee
26 contributions under AS 39.35.160, cost-of-living differentials only as provided in
27 AS 39.35.675, payments for leave that is actually used by the employee, the amount
28 by which the employee's wages are reduced under AS 39.30.150(c), and any amount
29 deferred under an employer-sponsored deferred compensation plan, but does not
30 include retirement benefits, severance pay or other separation bonuses, welfare
31 benefits, per diem, expense allowances, workers' compensation payments,

1 [INCENTIVE CASH AWARDS UNDER AS 39.51.120,] or payments for leave not
2 used by the employee whether those leave payments are scheduled payments,
3 lump-sum payments, donations, or cash-ins;

4 * Sec. 18. AS 41.23.500(1)(B) is amended to read:

5 (B) Township 17 North, Range 7 West, Seward Meridian
6 Section 6: Otter Lake, Weenie Lake, and the remaining
7 state-owned land in [THAT PORTION OF] the SW1/4
8 [IN TRACT B, ASLA 81-77]
9 Section 7: Otter Lake and Tracts F-2 and F-3 of ASLS
10 79-147
11 Section 18: S1/2, W1/2NW1/4
12 Section 19
13 Sections 30 - 31
14 Section 32: W1/2

15 * Sec. 19. AS 44.29.100 is amended to read:

16 Sec. 44.29.100. ADVISORY BOARD ON ALCOHOLISM AND DRUG
17 ABUSE. There is established in the Department of Health and Social Services an
18 advisory board on alcoholism and drug abuse. [THE BOARD SHALL FUNCTION
19 AS A STANDING COMMITTEE OF THE STATEWIDE HEALTH
20 COORDINATING COUNCIL ESTABLISHED UNDER AS 18.07.011.]

21 * Sec. 20. AS 47.30.475(b) is amended to read:

22 (b) Money available under this section shall be awarded by the department to
23 applicants on the basis of community need, [BUT ONLY IF THE AWARD IS
24 CONSISTENT WITH THE ANNUAL IMPLEMENTATION PLAN DEVELOPED
25 UNDER 42 U.S.C. 3001 - 2(b)(2) (NATIONAL HEALTH RESOURCES PLANNING
26 AND DEVELOPMENT ACT OF 1974) BY THE HEALTH SYSTEMS AGENCY
27 FOR THE HEALTH SYSTEM AREA IN WHICH THE APPLICANT IS LOCATED
28 AND THE STATE HEALTH PLAN DEVELOPED BY THE STATEWIDE HEALTH
29 COORDINATING COUNCIL UNDER 42 U.S.C. 300m - 3(c)(2)(A), AND ONLY]
30 after consideration of comment and advice of the Advisory Board on Alcoholism and
31 Drug Abuse. In awarding grants, the department shall further consider the amount of

1 money that is available for all applications and whether an application would
2 contribute to the wise development of a comprehensive program of alcoholic and drug
3 abuse rehabilitation and prevention.

4 * Sec. 21. AS 08.03.010(c)(12); AS 08.64.380(5); AS 10.06.960(d); AS 18.07.011,
5 18.07.111(7), 18.07.111(10); AS 18.08.090(11); AS 39.25.120(c)(20); AS 44.41.100,
6 44.41.110, 44.41.120, 44.41.130; AS 44.66.010(a)(13); and AS 47.30.475(e)(4) are repealed.

7 * Sec. 22. Section 17 of this Act takes effect only if AS 39.51 is repealed on July 1, 1993.
8 If sec. 17 of this Act takes effect, it takes effect July 1, 1993.

9 * Sec. 23. Except as provided in sec. 22 of this Act, this Act takes effect immediately
10 under AS 01.10.070(c).