

CS FOR HOUSE BILL NO. 531(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/8/94
Referred: Rules

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the existence and functions of certain multimember state
2 bodies, including boards, councils, commissions, associations, or authorities; and
3 providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1. AS 03.17.010 is amended to read:**

6 **Sec. 03.17.010. DUTIES OF THE DIRECTOR. The director shall [(1)]**
7 **administer and enforce this chapter [, (2) ENFORCE THIS CHAPTER] and the**
8 **provisions of marketing orders issued under this chapter [, AND (3) HAVE AN**
9 **ACCOUNTING MADE OF THE FUNDS HELD BY THE BOARD AT LEAST**
10 **ANNUALLY].**

11 * **Sec. 2. AS 03.17.040(a) is amended to read:**

12 **(a) Subject to AS 03.17.060 and AS 44.62 ([THE] Administrative Procedure**
13 **Act) [(AS 44.62), AND WITH THE ADVICE OF THE BOARD], the director may**
14 **issue, amend, or repeal marketing orders to regulate the marketing of milk in specified**

1 regions of the state. A milk marketing order may be issued to

2 (1) establish orderly marketing of milk;

3 (2) provide for uniform grading and classification of milk;

4 (3) provide for the proper preparation of milk for market;

5 (4) ensure [INSURE] an adequate supply of milk;

6 (5) eliminate unfair competitive practices;

7 (6) assist producers to adjust to changing conditions;

8 (7) maintain incentive for the production of high quality milk under the
9 most sanitary conditions;

10 (8) conduct research and provide information for the benefit of the
11 producer and the consumer.

12 * Sec. 3. AS 03.17.050(a) is amended to read:

13 (a) A marketing order may direct that

14 (1) a determination be made whether a surplus of milk exists and, if
15 so, its extent;

16 (2) a surplus be disposed of with a proration of the burden of any loss
17 among the handlers;

18 (3) the quantity, class, or grade of milk sold for a certain period be
19 limited;

20 (4) the quantity a producer may sell be limited, based upon the quantity
21 available, the quantities previously handled, or both;

22 (5) the quantity or grade a handler may handle during specified periods,
23 based upon the quantity a handler has available, or quantities previously handled, or
24 both;

25 (6) there be specified periods during which a particular grade of milk
26 may be distributed;

27 (7) a surplus pool of milk or a class or grade of milk be formed and
28 the milk sold, and the proceeds of sale be equitably distributed;

29 (8) milk be inspected, graded, and classified, or any of these;

30 (9) an assessment, not to exceed three percent of value, be levied on
31 the sale of milk to provide a fund for advertising and [,] sales promotion [, AND THE

1 **EXPENSES OF THE BOARD];**

2 (10) prices at which a grade, class, or quantity will be sold be posted;

3 (11) milk be labeled;

4 (12) stations be established for the receiving and weighing of milk, and
5 the collection of assessments;

6 (13) cooperative investigations or undertakings be entered into with
7 other state or federal agencies.

8 * Sec. 4. AS 14.57.030(b) is amended to read:

9 (b) The committee shall meet at least once every six months and at the call
10 of its chair [CHAIRMAN], on petition of a majority of its members, or at the call of
11 the commissioner, or the director of the museum, at a mutually convenient time and
12 place both for the members of the committee and for interested members of the public.

13 A meeting of the committee may be held by teleconference.

14 * Sec. 5. AS 14.57.050(b) is amended to read:

15 (b) Artifacts, natural history specimens, art objects, collections, or other items,
16 materials, or properties that relate to the history of Alaska and are appropriate for
17 preservation in the state museum of a value of \$5,000 [\$1,000] or more may not be
18 acquired by purchase, gift, or exchange, or otherwise nor may any item owned by, or
19 in the custody of, the state museum be disposed of by sale, gift, exchange, or
20 otherwise, without the written approval of the committee. In recommending the
21 acquisition or disposal of an item under this subsection for the state museum, the
22 committee shall evaluate the need for the item or collection proposed for acquisition
23 or disposal with reference to the scope of collections of the state museums.

24 * Sec. 6. AS 14.57.060 is amended to read:

25 Sec. 14.57.060. ADVISORY DUTIES. The committee shall act in an advisory
26 capacity to the board as to the general acquisition and deaccession policies and
27 programs of the state museum.

28 * Sec. 7. AS 23.30.005(a) is amended to read:

29 (a) The Alaska Workers' Compensation Board consists of a southern panel of
30 three members sitting for the first judicial district, a northern panel of three members
31 sitting for the second and fourth judicial districts, three [TWO] southcentral panels of

1 three members each sitting for the third judicial district, and one panel of three
2 members that may sit in any judicial district. Each panel must include the
3 commissioner of labor or the designated representative of the commissioner, a
4 representative of industry, and a representative of labor. The latter two members of
5 each panel shall be appointed by the governor and are subject to confirmation by a
6 majority of the members of the legislature in joint session.

7 * Sec. 8. AS 33.16.050(c) is amended to read:

8 (c) Except as provided in (e) of this section, decisions [DECISIONS] and
9 orders of the board require the affirmative votes of a majority of the members present.

10 * Sec. 9. AS 33.16.050 is amended by adding a new subsection to read:

11 (e) A meeting of the board is not required for a decision or order setting
12 special conditions of mandatory parole by a single member of the board under
13 AS 33.16.150(b) and (e). If a prisoner or parolee who is aggrieved by the board
14 member's decision or order applies to the full board under AS 33.16.150(e) and
15 33.16.160 for a change in parole conditions, the board shall meet to act on the
16 application.

17 * Sec. 10. AS 33.16.150 is amended by adding a new subsection to read:

18 (e) The board may delegate its authority under this section to a single member
19 of the board to issue a decision or order on behalf of the board setting special
20 conditions of mandatory parole. A prisoner or parolee aggrieved by a decision or
21 order of a single board member under this section may request a change in mandatory
22 parole conditions by applying to the full board under AS 33.16.160.

23 * Sec. 11. AS 42.40.850(c) is amended to read:

24 (c) If an impasse or deadlock still exists after the issuance of an injunction, the
25 parties shall submit the dispute to binding arbitration. The railroad labor relations
26 agency shall appoint an arbitrator selected by the parties by mutual consent. If
27 the parties are unable to agree on an arbitrator, the railroad labor relations
28 agency shall appoint an arbitrator from a list of arbitrators knowledgeable in
29 railroad labor agreements. The arbitrator shall [BE THE SAME PERSON
30 SELECTED UNDER AS 42.40.840 AND SHALL] fashion the award the arbitrator
31 considers equitable.

- 1 * **Sec. 12.** AS 03.17.020, 03.17.030, 03.17.100(l); AS 14.07.058, 14.07.059; AS 38.95.100,
2 38.95.110, 38.95.120, 38.95.130, 38.95.140; AS 39.05.060(a)(4); AS 39.25.110(11)(A);
3 AS 44.19.101, 44.19.102, 44.19.103, 44.19.104, 44.19.105, 44.19.123, 44.19.124, 44.19.125,
4 44.19.126, 44.19.130, 44.19.181, 44.19.182, 44.19.183, 44.19.184, 44.19.185, 44.19.186,
5 44.19.187, 44.19.188; AS 44.46.030, 44.46.040, 44.46.050; AS 44.47.050(a)(15); AS 44.82;
6 and AS 44.99.010 are repealed.
- 7 * **Sec. 13.** Sections 8 - 10 of this Act are retroactive to January 1, 1986.
- 8 * **Sec. 14.** This Act takes effect immediately under AS 01.10.070(c).