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"An Act making corrective amendments in the Alaska Statutes as recommended by the revisor of statutes."

COMMITTEE REPORT

5/15/75

HOUSE

Mr. Speaker:

Date 5/21/75

The Committee on JUDICIARY has had SB 384 am

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR SB 384 AND THAT

CS FOR SB 384 DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

MEMORANDUM

LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

POUCH Y—STATE CAPITOL
JUNEAU, ALASKA 99811

TO: Legislative Council

DATE: April 16, 1975

FROM: Randolph Berry
Revisor of Statutes

SUBJECT: "An Act making
corrective amendments in the
Alaska Statutes as recommend
by the revisor of statutes."

This bill was prepared by the Revisor of Statutes under AS 01.05.-036. The proposed amendments are designed to accomplish the following purposes: (1) correction of citations; (2) correction or change in language due to court decisions; (3) cleanup to make provisions consistent with other law or to recognize more recently enacted law; and (4) miscellaneous clarification and correction.

It is suggested that this explanatory memorandum accompany the bill through its legislative course.

SECTIONAL ANALYSIS

Section 1 corrects the name of the American Physical Therapist Association.

Section 2 amends AS 08.84.030(3) to reflect the separation of the Professional Examination Service from the American Public Health Association.

Sections 3 and 4 correct citations which were inadvertently not changed when AS 08.84.030 was repealed and re-enacted, ch. 71 SLA 1974.

Section 5 repeals AS 09.55.140 (setting a one year residency requirement for divorce) which was declared in State v. Adams, 522 P. 2d 1125 (1974).

Section 6 corrects the terminology of an internal citation.

Section 7 deletes language which is inconsistent with the remaining age provisions of the section. There is actually no other provision which would limit the entitlement of a person 19 years old on the basis of age.

Section 8 changes the terminology of AS 14.12.010 to conform with current terminology found in Alaska municipal law (AS 29).

Section 9 corrects the language of AS 14.20.175(a) to reflect that the director of education for state operated schools rather than the commissioner of education sits on the panel described in that section.

Section 10 expands a citation to reflect additional sections subsequently added to ch. 47.

Section 11 changes the terminology of the paragraph to clarify the definition of "member of a political party."

Section 12 adds language to AS 16.05.820 to recognize that other agencies (i.e. the National Fisheries Service under the U. S. Department of Commerce) conduct research in the state.

Section 13 deletes a reference to AS 16.05.830 which was repealed by ch. 73 SLA 1968.

Section 14 amends AS 16.10.010(3) to transfer responsibility for particular duty. This transfer was apparently missed when the Department of Environmental Conservation was created.

Section 15 expands the citation to reflect section 55 subsequently added to Article 1 of AS 18.10 by ch. 55 SLA 1974.

Section 16 changes the terminology of the paragraph to conform to the standard style used in defining terms.

Section 17 changes the terminology of the provision to conform to the terminology used in the present applicable federal Act.

Section 18 deletes a reference to "writ of mandamus" as writs of mandamus are abolished by Rule 91(b) of the Rules of Civil Procedure.

Section 19 updates the language of the provision to conform to the amendment to AS 18.85.100(b) contained in sec. 1, ch. 16 SLA 1974.

Sections 19 - 25 change the references in those provisions to Office of Vocational Rehabilitation to the division of vocational rehabilitation in the Department of Education. This change was requested by the Department of Education to conform to the practice in the majority of other states.

Section 26 corrects an error that was contained in the amendment of that provision enacted by ch. 106 SLA 1971.

Sections 27 and 28 change the language of AS 29.33.050 and AS 29.41.010(a) in order to clarify meanings of those provisions.

Section 29 corrects citations contained in the section which were overlooked when that section was codified.

Legislative Council
April 16, 1975
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Section 30 would repeal AS 39.05.010 ("employment of persons not citizens prohibited"): It is considered that this is necessary to conform to the decision of the United States Supreme Court in Sugarman v. Dougal 413 U. S. 634 (1973).

Section 31 changes the language of AS 43.56.020 to clarify the exemptions and conform to the intent of the legislature as expressed in the Free Conference Committee report on FSS FCCSSCS CSHB1 (ch. 1 FSSLA 1973) which appears in the Senate Journal for November 11, 1973, p. 126.

Section 32 adds a definition of "municipality" to the definitions under AS 43.56.

Section 33 transfers the responsibility for the Village Safe Water Act from the Department of Health and Social Services to the Department of Environmental Conservation (see section 14 above).

Introduced: 4/21/75
Referred: Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

2 SENATE BILL NO. 384

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making corrective amendments in the Alaska
7 Statutes as recommended by the revisor of statutes."

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

9 * Section 1. AS 08.84.010(a) is amended to read:

10 (a) There is created the state Physical Therapy Board, which
11 consists of five members appointed by the governor. The membership
12 consists of one physician licensed to practice medicine in the state,
13 three physical therapists registered in the state, and one lay person.
14 The members shall be selected from a list of 10 persons which shall be
15 submitted by the Alaska Chapter of the American Physical Therapy [THERA-
16 PIST] Association. Members of the board shall be appointed for terms
17 of one, two and three years, respectively; all subsequent appointments
18 shall be made for a term of three years and until their successors are
19 appointed. Vacancies on the board shall be filled by appointment in
20 like manner. Board members are not entitled to a travel or per diem
21 allowance.

22 * Sec. 2. AS 08.84.030(3) is amended to read:

23 (3) pass to the satisfaction of the board an examination from
24 the Professional Examination Service [PROFESSIONAL EXAMINATION SERVICE
25 OF THE AMERICAN PUBLIC HEALTH] Association, to determine his fitness for
26 practice as a physical therapist or physical therapy assistant, or be
27 entitled to registration without examination as provided in sec. 60 of
28 this chapter.

29 * Sec. 3. AS 08.84.065(a) is amended to read:

1 (a) The board may issue a nonrenewable temporary permit to an
2 applicant for registration by endorsement or by examination who meets
3 the requirements of sec. 30(1) and [,] (2) [AND (3)] of this chapter
4 and pays the required fee.

5 * Sec. 4. AS 08.84.100(b) is amended to read:

6 (b) A penalty of \$10 shall be charged in addition to all delin-
7 quent renewal fees for reinstatement of a registration which remains
8 lapsed for more than 60 days. If the registration remains lapsed for
9 more than three years, the board may require the applicant to take and
10 pass the examination given under sec. 30(3) [30(4)] of this chapter.

11 * Sec. 5. AS 09.55.140 is repealed.

12 * Sec. 6. AS 09.65.100(a)(5) is amended to read:

13 (5) the parent or guardian of the minor shall be relieved of
14 all financial obligation to the provider of the service under this sec-
15 tion [SEC. 100 OF THIS CHAPTER].

16 * Sec. 7. AS 13.16.065(c) is amended to read:

17 (c) A person entitled to letters under (a)(2) - (5) of this sec-
18 tion, and a person aged 19 and over [WHO WOULD BE ENTITLED TO LETTERS
19 BUT FOR HIS AGE], may nominate a qualified person to act as personal
20 representative. Any person aged 19 and over may renounce his right to
21 nominate or to an appointment by appropriate writing filed with the
22 court. When two or more persons share a priority, those of them who
23 do not renounce must concur in nominating another to act for them, or
24 in applying for appointment.

25 * Sec. 8. AS 14.12.010 is amended to read:

26 Sec. 14.12.010. DISTRICTS OF STATE PUBLIC SCHOOL SYSTEM. The
27 districts of the state public school system are as follows:

28 (1) each first [, SECOND, AND THIRD] class city in the
29 unorganized borough is a city school district;

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(2) each organized borough is a borough school district;

(3) the area outside organized boroughs and outside first
[, SECOND, AND THIRD] class cities is the state-operated school district.

* Sec. 9. AS 14.20.175(a) is amended to read:

(a) A teacher who has not acquired tenure rights is subject to nonretention for the school year following the expiration of his contract for any cause which the employer determines to be adequate. However, at his request, the teacher is entitled to a written statement of the cause for his nonretention. The board of directors for state schools, and the districts for district schools, shall provide by regulation or by law a procedure under which a nonretained teacher may, at his request, be heard informally by a panel consisting of the director of education for state-operated schools [COMMISSIONER] and two or more board members in the case of state schools, and by the local school board in the case of a district school.

* Sec. 10. AS 14.47.060 is amended to read:

Sec. 14.47.060. DEFINITIONS. In secs. 10 - 140 [50] of this chapter

(1) "diploma" means a degree, certificate, transcript, document, or other writing in any language representing that a person has completed a course of study beyond high school or is honored for achievement, and includes but is not limited to a diploma purporting to be a degree of bachelor, master, doctor, or fellow in any field of knowledge or endeavor. Graduation from high school or its equivalent need not be nor purport to be a prerequisite for undertaking or completing the course of study;

(2) "commission" means the Alaska Commission on Postsecondary Education.

* Sec. 11. AS 15.60.010(7) is amended to read:

(7) "member of a political party" means any person who

1 supports the political program of a party; filing as an independent
2 candidate shall not be interpreted as precluding the candidate from
3 being a member of a political party; and recognition of the independent
4 as a member of a political party at a party caucus held by members of the
5 legislature at the legislative session following his election, shall be
6 considered recognition of party membership at the time filings were
7 received by party candidates for the preceding general election;

8 * Sec. 12. AS 16.05.820 is amended to read:

9 Sec. 16.05.820. RESEARCH BY THE FEDERAL GOVERNMENT. The Secretary
10 of the Interior, the Secretary of Commerce or the Secretary of Agricul-
11 ture of the United States and their authorized agents or other appropri-
12 ate federal agencies may conduct fish cultural operations and scientific
13 investigations in the state in the manner and at the times jointly con-
14 sidered necessary or proper by the board and the secretary and their
15 authorized agents.

16 * Sec. 13. AS 16.05.900(a) is amended to read:

17 (a) A person who violates secs. [830,] 870 - 895 [,] or 920 of
18 this chapter or any [RULE OR] regulation promulgated under this chapter
19 is guilty of a misdemeanor and, upon conviction, is punishable by a
20 fine of not more than \$7,000 or by imprisonment for not more than six
21 months, or by both. A person who violates a [RULE OR] regulation
22 promulgated under this chapter for the regulation of commercial fish-
23 eries shall be punished as provided in sec. 720 of this chapter.

24 * Sec. 14. AS 16.10.010(3) is amended to read:

25 (3) render the waters inaccessible or uninhabitable for
26 salmon for that purpose without first applying for and obtaining a
27 permit or license from the Department of Environmental Conservation
28 [HEALTH AND SOCIAL SERVICES]. The application shall set out [FORTH]
29 the name and style of the person or concern, describe the waters and

1 location and state in particular the plans, purpose and intention for
2 which the application is made.

3 * Sec. 15. AS 16.10.030 is amended to read:

4 Sec. 16.10.030. VIOLATION OF SECS. 10 - 55 [50] OF THIS CHAPTER A
5 MISDEMEANOR. A person who violates secs. 10 - 55 [50] of this chapter is
6 guilty of a misdemeanor and, upon conviction, is punishable by a fine of
7 not less than \$100 nor more than \$500.

8 * Sec. 16. AS 17.20.370(12) is amended to read:

9 (12) "antiseptic" [THE REPRESENTATION OF A DRUG], in the [ITS]
10 labeling or advertisement of a drug, [AS AN ANTISEPTIC] is a representa-
11 tion that it is a germicide, except in the case of a drug purporting to
12 be, or represented as, an antiseptic for inhibitory use as a wet dress-
13 ing, ointment, dusting powder, or other use involving prolonged contact
14 with the body;

15 * Sec. 17. AS 18.05.031 is amended to read:

16 Sec. 18.05.031. PROGRAM PLANNING FOR DEVELOPMENTAL DISABILITY
17 [MENTALLY RETARDED]. (a) The department shall

18 (1) plan for and take other steps leading to comprehensive
19 state and community action to combat developmental disabilities [MENTAL
20 RETARDATION];

21 (2) be the sole agency for carrying out the purposes of the
22 federal act;

23 (3) make applications for, receive, and expend grants under
24 the federal act; the applications shall set out plans and contain
25 provisions and assurances for the expenditure of any grant as required
26 by the federal act or the secretary.

27 (b) As used in this section

28 (1) "federal act" means the Developmental Disabilities Ser-
29 vices and Facilities Construction Act (P.L. 91-517) [TITLE XVII OF THE

1 SOCIAL SECURITY ACT, GRANTS FOR PLANNING COMPREHENSIVE ACTION TO COMBAT
2 MENTAL RETARDATION (P.L. 88-156)];

3 (2) "secretary" means the Secretary of Health, Education, and
4 Welfare or his designee.

5 * Sec. 18. AS 18.55.210 is amended to read:

6 Sec. 18.55.210. RIGHT OF OBLIGEE OF AUTHORITY TO BRING [MANDAMUS
7 OR] INJUNCTION. An obligee of the authority may, in addition to all
8 other rights which may be conferred and subject only to contractual
9 restriction binding upon him, bring an [A MANDAMUS OR] injunction action
10 against the members, the authority, its officers, agents or employees.

11 * Sec. 19. AS 18.85.120(a) and (b) are amended to read:

12 (a) The determination of a person's indigency shall be made [BY
13 THE AGENCY OR] by the court in which an action against him is pending.
14 [WHEN IT IS MADE BY THE AGENCY IT IS SUBJECT TO REVIEW BY THE COURT.]

15 (b) In determining whether a person is indigent and in determining
16 the extent of his inability to pay, [THE AGENCY OR] the court shall con-
17 sider such factors as income, property owned, outstanding obligations,
18 and the number and ages of his dependents. Release on bail does not
19 preclude a finding that a person is indigent. In each case, the person,
20 subject to the penalties for perjury, shall certify under oath, and in
21 writing or by other record, material factors relative to his ability to
22 pay which the court prescribes.

23 * Sec. 20. AS 23.15.040 is amended to read:

24 Sec. 23.15.040. DIVISION [OFFICE] OF VOCATIONAL REHABILITATION
25 ESTABLISHED. The division [OFFICE] of vocational rehabilitation is
26 established under the Board of Vocational Rehabilitation to carry out
27 secs. 10 - 210 of this chapter.

28 * Sec. 21. AS 23.15.050 is amended to read:

29 Sec. 23.15.050. DIRECTOR OF VOCATIONAL REHABILITATION. The board

1 shall appoint a director of the division [OFFICE] of vocational rehabili-
2 tation. The director has the administrative authority delegated to him
3 by the board and necessary to carry out secs. 10 - 210 of this chapter
4 and the regulations and policies adopted by the board.

5 * Sec. 22. AS 23.15.060 is amended to read:

6 Sec. 23.15.060. AGREEMENTS UNDER SOCIAL SECURITY ACT. (a) The
7 board acting through the division [OFFICE] of vocational rehabilitation
8 may enter into necessary agreements on behalf of the state with the
9 Secretary of Health, Education and Welfare to carry out the provisions
10 of the federal Social Security Act, as amended, and as it is subsequently
11 amended, relating to the making of determinations of disability under
12 Title II of that Act.

13 (b) The Department of Revenue shall act as the custodian of funds
14 paid by the federal government to the state, shall comply with agree-
15 ments entered into under the Social Security Act, and shall disburse the
16 funds in accordance with instructions from the director of the division
17 [OFFICE] of vocational rehabilitation.

18 * Sec. 23. AS 23.15.070 is amended to read:

19 Sec. 23.15.070. PERSONNEL POLICIES. The board shall adopt person-
20 nel policies for the division [OFFICE] of vocational rehabilitation.
21 The director shall execute these policies and keep them on file in his
22 office.

23 * Sec. 24. AS 23.15.110 is amended to read:

24 Sec. 23.15.110. EXTENSION OF SERVICES OUTSIDE STATE. Vocational
25 rehabilitation service may be extended to the continental United States
26 to all individuals eligible under secs. 10 - 210 of this chapter. The
27 director of the division [OFFICE] of vocational rehabilitation may place
28 professional or clerical personnel or both inside the continental United
29 States to carry out the purposes of secs. 10 - 210 of this chapter.

1 * Sec. 25. AS 23.15.210(1) and (3) are amended to read:

2 (1) "agency" means the division [OFFICE] of vocational
3 rehabilitation;

4 (3) "director" means the director of the division [OFFICE]
5 of vocational rehabilitation;

6 * Sec. 26. AS 23.20.520(12) is amended to read:

7 (12) "employing unit" means an individual or type of organiza-
8 tion, partnership, association, trust, estate, joint trust company,
9 insurance company or domestic or foreign corporation, or the receiver,
10 referee in bankruptcy, trustee, or successor of one of these, or the
11 legal representative of a deceased person, which has or subsequent to
12 January 1, 1937, had one or more individuals performing service for it
13 within the state; an [AND] individual performing services inside the
14 state for an employing unit which maintains two or more separate estab-
15 lishments inside the state is considered as employed by a single employ-
16 ing unit for the purposes of this chapter; notwithstanding any provision
17 in this chapter, any employing unit which employs individuals whose
18 services must be covered by the unemployment insurance laws of this
19 state after December 31, 1971 as a condition of approval of the unemploy-
20 ment insurance laws of this state under sec. 3304(a) of the U.S. Internal
21 Revenue Code of 1954, as amended, will be considered an employer as to
22 those individuals and is subject to contributions on all wages paid after
23 December 31, 1971, or reimbursement payments to cover benefits paid
24 based on services performed after December 31, 1971, depending on the
25 applicable law;

26 * Sec. 27. AS 29.33.050 is amended to read:

27 Sec. 29.33.050. EDUCATION. Each borough constitutes a borough
28 school district and establishes, maintains, and operates a system of
29 public schools on an areawide basis as provided in AS 14.14.060. A

1 military reservation within an organized borough is not part of the
2 borough school district until the military mission is terminated and
3 [OR UNTIL] inclusion in the borough school district is approved by the
4 Department of Education. However, operation of the military reservation
5 schools by the borough school district may be required by the Department
6 of Education under AS 14.14.110, with the consent of the borough school
7 district board. If the military mission of a military reservation ter-
8 minates and continued management and control by the state-operated
9 schools is disapproved by the Department of Education, operation, manage-
10 ment and control of schools on military reservations transfers to the
11 borough school district in which the military reservation is located.

12 * Sec. 28. AS 29.41.010(a) is amended to read:

13 (a) A third class borough shall exercise the areawide powers of
14 education and tax assessment and collection in the manner provided for
15 second class boroughs. Provisions of law relative to first and second
16 class organized boroughs apply with respect to third class boroughs only
17 to the extent they are consistent with this chapter. A military reser-
18 vation within an organized borough is not part of the borough school
19 district until the military mission is terminated and [OR UNTIL] inclu-
20 sion in the borough school district is approved by the Department of
21 Education. However, operation of the military reservation schools by
22 the borough school district may be required by the Department of Educa-
23 tion under AS 14.14.110, with the consent of the borough school district
24 board. If the military mission of a military reservation terminates and
25 continued management and control by the state-operated schools is dis-
26 approved by the Department of Education, operation, management and con-
27 trol of schools on military reservations transfers to the borough school
28 district in which the military reservation is located.

29 * Sec. 29. AS 34.07.010(a) is amended to read:

1 (a) This chapter is applicable only to property, the sole owner
2 or all of the owners of which submit it to the horizontal property
3 regime by executing and recording a declaration under (c) of this section
4 and sec. 20 [SEGS. 150 - 160] of this chapter.

5 * Sec. 30. AS 39.05.010 is repealed. *112*

6 * Sec. 31. AS 43.56.020 is amended to read:

7 Sec. 43.56.020. EXEMPTIONS. (a) The following are exempt from
8 local taxes levied or authorized under sec. 10(b) of this chapter:

9 (1) property rights attached to or inherent in the right to
10 explore for or produce oil or gas;

11 (2) oil or gas leases or properties, whether producing or
12 not;

13 (3) oil or gas in place;

14 (4) oil or gas produced or extracted in the state;

15 (5) the value of intangible drilling expenses and exploration
16 expenses;

17 (6) an interest in property described in AS 43.55.010(b) [;

18 (7) BEFORE THE CONSTRUCTION COMMENCEMENT DATE, PROPERTY TAXED
19 UNDER SEC. 10(a) OF THIS CHAPTER WHICH IS COMMITTED BY CONTRACT OR OTHER
20 AGREEMENT FOR USE IN THIS STATE PRIMARILY FOR PIPELINE TRANSPORTATION
21 OF GAS OR UNREFINED OIL OR FOR THE PRODUCTION OF GAS OR UNREFINED OIL
22 TO BE TRANSPORTED BY THAT PIPELINE;

23 (8) BEFORE THE CONSTRUCTION COMMENCEMENT DATE, PROPERTY
24 TAXED UNDER SEC. 10(a) OF THIS CHAPTER WHICH IS COMMITTED BY CONTRACT
25 OR OTHER AGREEMENT FOR USE IN THIS STATE PRIMARILY IN THE OPERATION OR
26 MAINTENANCE OF FACILITIES FOR PIPELINE TRANSPORTATION OF GAS OR UNREFINED
27 OIL, OR FACILITIES FOR PRODUCTION OF GAS OR UNREFINED OIL TO BE TRANS-
28 PORTED BY THAT PIPELINE].

29 (b) There is exempt from state taxes levied or authorized under

1 sec. 10(a) of this chapter, before the construction commencement date,
2 property which is committed by contract or other agreement for use in
3 this state primarily for the production or pipeline transportation of
4 gas or unrefined oil, or in the operation or maintenance of facilities
5 for the production or pipeline transportation of gas or unrefined oil.

6 (c) In (a)(2) of this section, "properties" means mineral inter-
7 ests in oil and gas and working interests, royalty interests, and over-
8 riding royalty interests in oil and gas leases.

9 * Sec. 32. AS 43.56.210 is amended by adding a new paragraph to read:

10 (8) "municipality" means a home rule or general law city
11 or borough and includes but is not limited to a unified municipality
12 organized under AS 29.68.

13 * Sec. 33. AS 46.07.080(1) is amended to read:

14 (1) "commissioner" means the commissioner of environmental
15 conservation [HEALTH AND SOCIAL SERVICES];

House Judiciary Committee

May 22, 1975

The meeting was called to order at 1:35 by Chairman Gardiner. All members were present except Mr. Speeking.

HR 3 Department of Justice

line 26 after made: add by the governor

This bill was moved out of committee as amended.

SB 182 Arrest without warrant

Jim Hanley of the AG's office testified that the bill was needed so that police could make an arrest and draw blood for OMVI testing.

line 16: add if the violation is alleged to have occurred less than eight hours before the time of such arrest. This amendment passed.

Mr. Brown moved the Judiciary CS out of committee.

SB 411 Doctors guide

Joe Hill, of the AG's office testified that this bill was needed so that the group in Anchorage wanting to compile the guide could receive federal monies. Either the statute had to be changed or the AG would have to issue an opinion that such a guide was legal under the present statute. The AG has determined that since it is the doctors who furnish the information to be contained in the guide, and since this information could cause competition, that it was advertising of a sort and therefore illegal under the present statute.

The bill was moved out of committee.

SJR 37 Outboard motor numbering

This bill was moved out of committee.

SB 384 am Revise Statutes

Randy Berry, the Revisor of Statutes explained the Section 28 as follows: The Free Conference Committee report and the statute language appear to be in conflict. The Department of Revenue has not been enforcing the statute and has been, in effect, following the report. This section makes the language in the statute consistent with the intent.

The committee reinserted the old section 30 which had been deleted by the senate as a new section 31.

Mr. Berry requested that the Senate delete the old sections 27 and 28 relating to military schools.

The committee agreed to delete section 7 and renumber.

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House Judiciary Committee
May 26, 1975

The meeting was called to order at 2:15 p.m. by Chairman Cardiner. All members were present.

CS SB 257 am Municipal Fire Departments

Douglas Body, Coordinating Fire Chief, testified that there is no statutory authority for the fire departments to do some of the things they are presently doing.

The following amendments passed:

page 1, line 18, page 1, line 23: after city insert: organized village.

page 2, line 7: after trespass insert: upon property at or near the scene of a fire.

page 2, line 7: delete without liability

page 2, line 21: delete without liability

page 2, line 17: insert before inspect: upon 24 hour notice to the owner or occupant,

page 2, line 24: delete all of subsection (9) and renumber

page 3, line 2: insert after misdemeanor: , and upon conviction, is punishable by imprisonment for one year, or by a fine of not more than \$1,000, or by both.

page 2, line 3: delete all of Section 3

page 3, line 6: insert definition section "preplanning" to be drafted.

The Judiciary CS for CS SB 257 am was passed out of committee.

SB 384 Revise statutes

page 6, line 9: delete bring and insert seek, delete action and insert or an action in the nature of an action for mandamus.

The Judiciary CS for SB 384 was passed out of committee.

SB 138 Zoning State Parks

The C and RA CS for SB 138 was passed out of committee.