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STATE OF ALASKA  
THE LEGISLATURE  
LEGISLATIVE AFFAIRS AGENCY

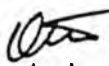
POUCH Y. STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

MEMORANDUM

March 18, 1982

SUBJECT: The Revisor's Bill  
(CSHB 591 (Judiciary))

TO: House Judiciary Committee  
Attn: Bill Cook, Professional Assistant

FROM: David T. Walker   
Co-Revisor of Statutes

I have enclosed the original and 10 copies of the Revisor's bill and its accompanying analysis. I do look forward to meeting with you and the Chair to discuss scheduling the bill and answer any questions either of you may have about this bill or its purposes.

I am on call to respond to any questions or concerns surrounding this bill.

Thank you for assistance.

DTW:ljb

Enclosures

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. CSHB 591 (Judiciary)  
 Title Revisor's Bill -- corrective amendments in Alaska Statutes  
 Requested by House Judiciary Committee Date April 2, 1982

II. FISCAL DETAIL  
 Agency Affected Legislative Affairs Agency  
 Program Category Affected General Government  
 BRU, Program, Or Sub: rogram(s) Affected Division of Legal Services  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The revisor's bill corrects or removes deficiencies, conflicts or obsolete provisions in the Alaska Statutes. Preparation of the bill is one of the statutory responsibilities of the revisor. The bill has no fiscal impact.

IV. DATE April 2, 1982 PREPARED BY David T. Walker  
 AGENCY Legislative Affairs Agency  
 Original: Legislative Finance PHONE 465-2450  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

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Final Copy  
4-2-82 ✓

STATE OF ALASKA  
THE LEGISLATURE  
LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL  
JUNEAU ALASKA 99811  
907-465-3600

MEMORANDUM

April 1, 1982

SUBJECT: "An Act making corrective amendments in the Alaska Statutes as recommended by the revisor of statutes" (CSHB 591 (Judiciary))

TO: Representative Ramona L. Barnes  
Chairman, House Judiciary Committee

FROM: Donna Spragg Pegues *Donna Spragg Pegues*  
David T. Walker  
Co-Revisor of Statutes

This bill was prepared by the revisor of statutes under AS 01.05.036 which provides in part that the revisor of statutes shall

"prepare for submission to the legislature legislation for the correction or removal of . . . deficiencies, conflicts, or obsolete provisions, or to otherwise improve the form or substance of . . . the statute law of this state."

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

SECTIONAL ANALYSIS

Section 1 corrects an error which dates back to the bulk formal revision of the Alaska Statutes in 1963. The original act (Chapter 123, S.A 1949) contemplated that municipalities could act jointly and jointly accept airport aid under this section. That provision was changed in the bulk formal revision so as to create an anomaly.

Section 2. See note concerning Sec. 24.

Section 3 Amends the law that establishes the Athletic Commission to make it clear that each commissioner is to

supervise boxing and wrestling events in the Senate district from which the commissioner is appointed.

Section 4 and 5 rearrange the exemption of school events from the regulation of certain boxing and wrestling exhibitions. Under present law, the exemption is buried in a substantive law section.

Section 6 straightens out the syntax in a section establishing penalties for participating in a sham boxing or wrestling contest.

Section 7 clarifies an exemption to the requirement that a snow machine have an exhaust muffler in good working order.

Section 8 repeals a definition in the chapter regulating accountants. The repealed section defines "attest function". That phrase is not used in the chapter for which it is defined. It was used in a companion bill which did not pass in 1980.

Section 9 eliminates a special exemption that allowed certain persons to serve on the legislative legal staff without taking and passing the Alaska bar examination. Under the exemption certain persons serving the legislature as legal counsel to the legislature in September 1976 were allowed to continue in that capacity without admission to the Alaska bar association. The persons who benefited from this exemption are no longer employed on the legislative legal staff and this exemption serves no purpose. The amendment makes it clear that all legislative lawyers must be licensed to practice law after the results of the third Alaska bar examination following employment.

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Sections 11 and 12 eliminate technical errors in amendments to the law regulating architects, engineers and land surveyors.

Sections 13 and 14 reinstate sections of the law regulating pharmacists that were amended and then apparently repealed by mistake in Chapter 166, SLA 1980.

Section 15 makes a correction to AS 08.88.475(b). In 1980 the administration of the real estate surety fund was made a responsibility of the real estate commission. Amendment of this section to eliminate responsibility of the court for surety fund administration was apparently an aspect overlooked at that time.

Section 16 corrects AS 08.98.040 to make it clear that the board of veterinarians is to hold three meetings each year.

Section 17 corrects a technical error in AS 09.16.010(f) (Alaska Uniform Contribution Among Tortfeasors Act) that was made when the statute was enacted in 1970. The correction brings this subsection into conformity with the uniform act.

Section 18 makes it clear that the definitions in the law relating to the privilege of public officials and reporters apply only to that law and not to all of AS 09.25 (which is a general chapter on evidence).

Section 19 repeals two subsections in the code of civil procedure which expired by their own terms on July 1, 1975.

Sections 20 and 21 clarify a 1981 amendment to child support statutes so as to make it clear who is responsible for the filing and mailing of income assignment orders and related documents.

Section 22 corrects a mistake in a 1980 amendment to AS 10.-05.711(a)(2) (fees for changing capital stock) that resulted in the opposite effect from that intended.

Section 23 corrects an outdated reference to the statute relating to the certification of documents.

Section 24 and Section 2 correct a discrepancy between AS 11.61.140(a)(3) and AS 03.60.005. Under a 1980 enactment, AS 11.61.140(a)(3) provides that it is a class A misdemeanor to kill an animal using a decompression chamber unless the killing conforms to accepted veterinary practice and AS 03.60.005 makes it unlawful for a veterinarian to use a decompression chamber to kill an animal under any circumstances. Under this statute it would never be acceptable veterinary practice to kill an animal by use of a decompression chamber. To resolve this inconsistency the

revisor's bill would repeal AS 03.50.005 (in Sec. 2) and amend AS 11.61.140(b) (in Sec. 11) so that the exceptions to the prohibition of using a decompression chamber to kill an animal are eliminated as a defense to the crime of cruelty to animals.

Section 25 repeals AS 12.25.080. That section relating to the use of force by a police officer was superseded by AS 11.81.370. This was the conclusion of the Alaska Supreme Court in the case of State v. Sundberg, 611 P.2d 44 (1980).

Section 26 corrects AS 12.55.135(c) relating to sentencing in domestic violence cases so that the subsection refers to in the fourth degree rather than assault in the third degree. Assault in the third degree was changed to assault in the fourth degree by Chapter 102, SLA 1980.

Section 27 repeals AS 12.55.150 that established a fine for violations under a heading of "Sentences for Violations". The fine for violation may also be found at AS 12.55.-035(b)(5). The additional material at AS 12.55.140 is not needed and causes some confusion because of its placement and title.

Section 23 corrects a minor error in the list of duties of the Department of Education.

Section 29 amends AS 14.07.050 to eliminate obsolete references to state schools and state operated schools.

Sections 30, 31 and 32 correct technical errors made in Chapter 119, SLA 1981 relating to education. (See also SB 649 to same effect)

Section 33 corrects outdated AS references in a section of the Teachers Retirement System.

Section 34 amends AS 14.40.160(b) to make it clear that references to the "board" in that section are to the Board of Regents of the University of Alaska and not to the Board of Education (see AS 14.60.010(2) which defines "board" for purposes of AS 14).

Section 35 repeals certain statutes which refer to the tuition grant program which was held unconstitutional by the

Alaska State Supreme Court in the case of Sheldon Jackson College v. State, 599 P.2d 127 (1979).

Sections 35 and 39 change references in the election code from "lieutenant governor" to "director" (of elections). This change was made throughout the code in 1980. These sections were missed.

Section 37 changes an incorrect AS reference in the election code.

Sections 38 and 42 eliminate election code references to "canvassing" in state elections. "Canvassing" was eliminated throughout the election code by Chapter 100, SLA 1980. These sections were overlooked. The former canvassing work is now done by a state ballot counting review board. See also HCSCSSB 299.

Sections 40 and 41 reinstate sections in the election code which were extensively amended in 1980 and then repealed by the same act that amended them. The repeals were apparently made in error. See same corrections in HCSCSSB 299.

Sections 43 and 44 amend AS 16.05.407 to make it clear that guides are licensed under the Guide Licensing and Control Board rather than the Department of Fish and Game. In 1973 this responsibility was transferred to the board but amendment to AS 16.05.407 was apparently overlooked.

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Section 46 makes it clear that AS 18.07.071(c) covers only a temporary but not an emergency certificate of need for a health care facility.

Section 47 supplies a needed definition of a certificate of need to the chapter dealing with issuance of these certificates.

Section 48 clarifies the allowable investments of the Alaska Medical Facility Authority. The present law on the subject is garbled.

Section 49 repeals an obsolete requirement of the Health and Safety Code that expired by its own terms in 1976.

Section 50 deletes an obsolete portion of the Health and Safety Code that expired by its own terms in 1976.

Section 51 removes an obsolete provision relating to terms of members of the Alaska State Housing Authority.

Section 52 amends AS 18.65.310(a) to correct a reference to a repealed section which formerly governed issuance of drivers' licenses.

Section 53 repeals and reenacts AS 18.80.060 relating to the Human Rights Commission to create a subsection out of a responsibility of the commission that had been improperly codified as a numbered paragraph.

Section 54 repeals and reenacts for clarity a badly garbled section of the law relating to construction standards for access roads.

Section 55 corrects a definition in the law passed in 1980 concerning the north slope haul road. AS 19.40.100 states that the department shall maintain the highway and keep it open to "industrial or commercial traffic" throughout the year. However, rather than defining "industrial or commercial traffic" the bill defined "industrial or commercial travel".

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Sections 57 and 58 eliminate reference to "associate justice" of the Supreme Court. Throughout the statutes the term "justice" is used without the added term "associate".

Section 59 adds to the jurisdiction of the district court in AS 22.15 those actions for taking utility service and for damages to or interference with a utility line. AS 42.-20.030 establishes this jurisdiction. Section 63 adds an appropriate cross reference to the AS section on the jurisdiction of the district court.

Section 60 removes a temporary provision from the statute relating to the commission on judicial qualifications.

Section 61 repeals and reenacts AS 23.10.130 so as to eliminate that portion of AS 23.10.130(b) that was struck down by the Alaska Supreme Court in Nolan v. Sea Airmotive Inc., 627 P.2d 1035 (1981). In that case the court held that most of AS 23.10.130(b) relating to class actions was properly a matter of court rule of procedure.

Section 62 removes obsolete references to the alcoholic beverages title from AS 23.10.355.

Section 63 repeals an obsolete pre-statehood provision that sets a definite term for the director of employment security.

Sections 64 and 65 attempt to straighten out a mistake of the publisher when AS 23.20.195(d) was somehow simply dropped from the statutes although its form and substance was presumed in AS 23.20.195(c). These amendments formalize what is actually the law.

Section 66 amends the veterans loan act to substitute the official date of the end of the hostilities in Viet Nam for a reference to "the present national emergency".

Section 67. For information on this section see the note to Sec. 107.

Section 68 corrects an obsolete reference to AS 04.

Section 69 repeals an obsolete reference to repealed (but not replaced) lien foreclosure procedures.

Section 70 supplies the correct year for the "January" found in AS 29.90.010 as amended in 1981.

Section 71 deletes an obsolete reference to the magistrate court.

Section 72 repeals the Alaska Paperwork Reduction and Simplification Act which expired by its own terms on July 1, 1979. Section 2 of Chapter 147, SLA 1977 repealed the act effective on that date.

Section 73 corrects an apparent error in the State Land Act that dates back to the original codification. The bill in which AS 38.05.351 was enacted referred to "this act" rather than "this section". In the context of the section, "this Act" or "this chapter" has meaning where "this section" does not.

Sections 74, 75, 95, 96, and 97 carry out the directive of Chapter 110, SLA 1981 that all references to the Alaska Pipeline Commission be changed to the Alaska Public Utilities Commission.

Section 76 corrects a mistaken AS reference in AS 38.-50.130(a).

Section 77 repeals a reference to the defunct North Commission. See also Sec. 101.

Sections 78 and 79 revise pre-statehood law concerning the confirmation of board members and state officials. The sections delete provisions that allow either house to confirm an appointment. The Alaska Constitution provides for only joint confirmation action. The sections also clarify that the governor is the appointing authority in the executive branch.

Section 80 repeals an obsolete pre-statehood law which had the attorney general of the United States establishing schedules of mileage and other fees for state officials.

Section 81 repeals an obsolete reference to the state operated schools.

Sections 82 and 84 delete references to the "director of the division of personnel and labor relations". The proper term is "director of the division of personnel". See AS 39.25.030. Section 82 also removes an obsolete reference to July 9, 1978.

Section 83 repeals a section in the 1960 personnel act that related only to the classification, etc. of employees employed on April 19, 1960. Everything that was supposed to happen under this section has happened and the section is obsolete.

Sections 85, 86, 87 and 88 amend the law under which the state originally entered into a contract for federal social security for its employees and for the employees of political subdivisions. Effective in 1980 state employees are no longer part of the social security system. These amendments make that clear.

Section 89 makes a clarifying amendment to the public employees retirement act to make the law consistent as to references to credited service in the amended section.

Section 90 repeals an obsolete provision in the public employee retirement act which sets out what will happen if a retired person receives a pension of less than \$25 a month. Under AS 39.35.485 as of January 1, 1981, the minimum retirement benefit is \$25 a month so 39.35.470 no longer has any purpose.

Section 91 repeals defunct boards from the list of board members subject to financial disclosure.

Sections 92 and 93 substitute references to "Division of Forestry" which replaced "Division of Forest, Land, and Water Management".

Section 94 clarifies an amendment to the public utilities law made in 1980. This amendment makes it clear that the exemption in AS 42.05.711(i) applies to all utilities which have gross annual revenues of \$200,000 or less on and after June 30, 1980. As the law presently reads it could possibly be interpreted to mean that only those utilities which met the qualifications on the precise date of June 30, 1980 qualify for the exemption.

Section 98 eliminates an inconsistency in the fisheries business license tax. Under the 1979 enactment of AS 43.-75.011 a processor must obtain a license under AS 43.75.020 before engaging in a fisheries business. However, under AS 43.75.020(b) (enacted in 1949) an applicant may carry on the business from the date the application is filed.

Section 99. Sec. 5 substitutes the word "summons" for the word "subpoenas" in AS 43.80.035(b)(1) to make that paragraph consistent with AS 43.05.040. Under AS 43.05.040 summons rather than subpoenas are sought and issued for the administrative purposes of the Department of Revenue.

Section 100 corrects an error made in the bulk formal revision in 1963. In its original form (sec. 20, Chapter 64, SLA 1959), AS 44.19.028 provided that the governor could establish interim boards, councils, etc. until the adjournment of the next regular or reconvened session of the legislature. In the first revision process this was changed so that the board or commission could exist only until the beginning of the next regular or reconvened session of the legislature. This amendment takes the law back to its original form.

Section 101 repeals the defunct North Commission.

Section 102 clarifies the exempt public facilities for which a contribution for "art in public places" must be made.

Section 103 corrects a reference to "Aid to Dependent Children" to "Aid to Families with Dependent Children". This is the correct designation for the program.

Section 104 repeals the defunct Northwestern Alaska Development Committee which dissolved by its own terms on April 1, 1968.

Section 105 deletes an obsolete reference to the "four major senatorial election districts" in the law governing local boundary commission appointments. A reference to the current four judicial districts described in AS 22.10.010 is substituted.

Section 106 substitutes the Department of Law for the Legislative Council as the agency responsible for the indexing, numbering, and etc. of the Alaska Administrative Code. The basic responsibility for the style and general preparation of regulations to be published in the Administrative Code was given to the Department of Law in 1978 but this particular section was overlooked at that time (See AS 44.62.050 and AS 44.62.060).

Section 107 repeals AS 44.62.320(a). This section was declared unconstitutional by the Alaska Supreme Court in State v. A.L.I.V.E. Voluntary, 606 P.2d 769 (1980).

Sections 108, 109 and 110 correct obsolete references to the commissioner of public works. The amended sections required the commissioner of public works and the commissioner of highways to cooperate in various ventures. With the creation of the new Department of Transportation and Public Facilities this commissioner is one and the same person.

Section 111 corrects a mistake made in the Uniform Commercial Code when it was adopted in 1962. This change from "instrument" to "indorsement" brings this paragraph into conformity with the official text of the Uniform Commercial Code.

Section 112 substitutes the commissioner of commerce and economic development for the "secretary of state" as the person who may accept proof of the use of a trademark. Trademark regulation is currently the responsibility of the Department of Commerce and Economic Development.

Section 113 straightens out confusion introduced by a 1981 floor amendment to the Alaska Securities Act.

Section 114 repeals AS 45.95.020(c). This subsection was tied to the existence of AS 45.95.020(b) which was repealed by sec. 4, Chapter 122, SLA 1980.

Section 115 substitutes "low level radioactive materials" for "radionuclides" in AS 46.03.290(a) relating to radiation and hazardous waste protection. This change was made throughout the law by Chapter 93, SLA 1981 but this section was apparently missed.

Sections 116, 117, 118, 119, 120 and 125 substitute references to AS 43.04 (Oil Pollution Control) for obsolete references to repealed AS 30.25. AS 30.25 was substantially replaced by AS 46.04. However in Section 116 a reference to an AS 30.25 section is completely eliminated since there is no comparable section in AS 43.04.

Section 121 deletes an obsolete reference to the definition of a "motor vehicle" and supplies the current correct definition.

Representative Ramona L. Barnes  
Page 12  
April 1, 1982

Section 122 repeals a definition of "radionuclides" from AS 46.03. As noted in reference to Section 115, this term is no longer used in AS 46.03.

Sections 123 and 124 correct references to the Federal Clean Water Act enacted in 1980.

Sections 126, 127, and 128 correct references to "Aid to Dependent Children" to read "Aid to Families with Dependent Children". This is the correct designation for the program.

Sections 129 and 130 correct references to the former Advisory Board on Alcoholism.

DSP:ljb

STATE OF ALASKA  
THE LEGISLATURE

POUCH - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 16, 1982

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Alaska Statutes as recommended by the revisor  
of statutes" (CSHB 591 (Judiciary))

TO: Representative Ramona L. Barnes  
Chairman, House Judiciary Committee

FROM: Donna Spragg Pegues *Donna Spragg Pegues*  
David T. Walker *David T. Walker*  
Co-Revisors of Statutes

This bill was prepared by the revisor of statutes under  
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the bill through its legislative course.

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Section 45 makes it clear that AS 18.07.071(c) covers only a temporary but not an emergency certificate of need for a health care facility.

Section 46 supplies a needed definition of a certificate of need to the chapter dealing with issuance of these certificates.

Sections 47, 48, 49, 52 and 54 change a number of minor offenses in the Health and Safety Code from misdemeanors to violations. Each of these offenses presently carries a fine less than a misdemeanor under the Criminal Code and none calls for a sentence of imprisonment. Each is therefore more logically described as a violation rather than a misdemeanor.

Representative Ramona L. Barnes

Page 6

March 16, 1982

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Section 51 repeals an obsolete requirement of the Health and Safety Code that expired by its own terms in 1976.

Section 53 deletes an obsolete portion of the Health and Safety Code that expired by its own terms in 1976.

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Section 66 removes obsolete references to the alcoholic beverages title from AS 23.10.355.

Section 67 repeals an obsolete pre-statehood provision that sets a definite term for the director of employment security.

Sections 68 and 69 attempt to straighten out a mistake of the publisher when AS 23.20.195(d) was somehow simply dropped from the statutes although its form and substance was presumed in AS 23.20.195(c). These amendments formalize what is actually the law.

Section 70 amends the veterans loan act to substitute the official date of the end of the hostilities in Viet Nam for a reference to "the present national emergency".

Section 71 For information on this section see the note to Sec. 111.

Section 72 corrects an obsolete reference to AS 04.

Section 73 repeals an obsolete reference to repealed (but not replaced) lien foreclosure procedures.

Section 74 supplies the correct year for the "January" found in AS 29.90.010 as amended in 1981.

Section 75 deletes an obsolete reference to the magistrate court.

Section 76 repeals the Alaska Paperwork Reduction and Simplification Act which expired by its own terms on July 1, 1979. Section 2 of Chapter 147, SLA 1977 repealed the act effective on that date.

Section 77 corrects an apparent error in the State Land Act that dates back to the original codification. The bill in which AS 38.05.351 was enacted referred to "this act" rather than "this section". In the context of the section, "this Act" or "this chapter" has meaning where "this section" does not.

Sections 78, 79, 99, 100, and 101 carry out the directive of Chapter 110, SLA 1981 that all references to the Alaska Pipeline Commission be changed to the Alaska Public Utilities Commission.

Section 80 corrects a mistaken AS reference in AS 38.-50.130(a).

Section 81 repeals a reference to the defunct North Commission. See also Sec. 105.

Sections 82 and 83 revise pre-statehood law concerning the confirmation of board members and state officials. The sections delete provisions that allow either house to confirm an appointment. The Alaska Constitution provides for only joint confirmation action. The sections also clarify that the governor is the appointing authority in the executive branch.

Section 84 repeals an obsolete pre-statehood law which had the attorney general of the United States establishing schedules of mileage and other fees for state officials.

Section 85 repeals an obsolete reference to the state operated schools.

Sections 86 and 88 delete references to the "director of the division of personnel and labor relations". The proper term is "director of the division of personnel". See AS 39.25.030. Section 86 also removes an obsolete reference to July 9, 1978.

Section 87 repeals a section in the 1960 personnel act that related only to the classification, etc. of employees employed on April 19, 1960. Everything that was supposed to happen under this section has happened and the section is obsolete.

Sections 89, 90, 91 and 92 amend the law under which the state originally entered into a contract for federal social security for its employees and for the employees of political subdivisions. Effective in 1980 state employees are no longer part of the social security system. These amendments make that clear.

Section 93 makes a clarifying amendment to the public employees retirement act to make the law consistent as to references to credited service in the amended section.

Section 94 repeals an obsolete provision in the public employee retirement act which sets out what will happen if a retired person receives a pension of less than \$25 a month. Under AS 39.35.485 as of January 1, 1981, the minimum retirement benefit is \$25 a month so 39.35.470 no longer has any purpose.

Section 95 repeals defunct boards from the list of board members subject to financial disclosure.

Sections 96 and 97 substitute references to "Division of Forestry" which replaced "Division of Forest, Land, and Water Management".

Section 98 clarifies an amendment to the public utilities law made in 1980. This amendment makes it clear that the exemption in AS 42.05.711(i) applies to all utilities which have gross annual revenues of \$200,000 or less on and after June 30, 1980. As the law presently reads it could possibly be interpreted to mean that only those utilities which met the qualifications on the precise date of June 30, 1980 qualify for the exemption.

Section 102 eliminates an inconsistency in the fisheries business license tax. Under the 1979 enactment of AS 43.-75.011 a processor must obtain a license under AS 43.75.020 before engaging in a fisheries business. However, under AS 43.75.020(b) (enacted in 1949) an applicant may carry on the business from the date the application is filed.

Section 103 Sec. 5 substitutes the word "summons" for the word "subpoenas" in AS 43.80.035(b)(1) to make that paragraph consistent with AS 43.05.040. Under AS 43.05.040 summons rather than subpoenas are sought and issued for the administrative purposes of the Department of Revenue.

Section 104 corrects an error made in the bulk formal revision in 1963. In its original form (sec. 20, Chapter 64, SLA 1959), AS 44.19.028 provided that the governor could establish interim boards, councils, etc. until the adjournment of the next regular or reconvened session of the legislature. In the first revision process this was changed so that the board or commission could exist only until the beginning of the next regular or reconvened session of the legislature. This amendment takes the law back to its original form.

Section 105 repeals the defunct North Commission.

Section 106 clarifies the exempt public facilities for which a contribution for "art in public places" must be made.

Section 107 corrects a reference to "Aid to Dependent Children" to "Aid to Families with Dependent Children". This is the correct designation for the program.

Section 108 repeals the defunct Northwestern Alaska Development Committee which dissolved by its own terms on April 1, 1968.

Section 109 deletes an obsolete reference to the "four major senatorial election districts" in the law governing local boundary commission appointments. A reference to the current four judicial districts described in AS 22.10.010 is substituted.

Section 110 substitutes the Department of Law for the Legislative Council as the agency responsible for the indexing, numbering, and etc. of the Alaska Administrative Code. The basic responsibility for the style and general preparation of regulations to be published in the Administrative Code was given to the Department of Law in 1978 but this particular section was overlooked at that time (See AS 44.62.050 and AS 44.62.060).

Section 111 repeals AS 44.62.320(a). This section was declared unconstitutional by the Alaska Supreme Court in State v. A.L.I.V.E. Voluntary, 606 P.2d 769 (1980).

Sections 112, 113 and 114 correct obsolete references to the commissioner of public works. The amended sections required the commissioner of public works and the commissioner of highways to cooperate in various ventures. With the creation of the new Department of Transportation and Public Facilities this commissioner is one and the same person.

Section 115 substitutes the commissioner of commerce and economic development for the "secretary of state" as the person who may accept proof of the use of a trademark. Trademark regulation is currently the responsibility of the Department of Commerce and Economic Development.

Section 116 straightens out confusion introduced by a 1981 floor amendment to the Alaska Securities Act.

Section 117 repeals AS 45.95.020(c). This subsection was tied to the existence of AS 45.95.020(b) which was repealed by sec. 4, Chapter 122, SLA 1980.

Section 118 substitutes "low level radioactive materials" for "radionuclides" in AS 46.03.290(a) relating to radiation and hazardous waste protection. This change was made throughout the law by Chapter 93, SLA 1981 but this section was apparently missed.

Sections 119, 120, 121, 122, 123 and 128 substitute references to AS 43.04 (Oil Pollution Control) for obsolete references to repealed AS 30.25. AS 30.25 was substantially replaced by AS 46.04. However in Section 119 a reference to an AS 30.25 section is completely eliminated since there is no comparable section.

Section 124 deletes an obsolete reference to the definition of a "motor vehicle" and supplies the current correct definition.

Section 125 repeals a definition of "radionuclides" from AS 46.03. As noted in reference to Section 118, this term is no longer used in AS 46.03.

Representative Ramona L. Barnes  
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Sections 126 and 127 correct references to the Federal Clean Water Act enacted in 1980.

Sections 129, 130, and 131 correct references to "Aid to Dependent Children" to read "Aid to Families with Dependent Children". This is the correct designation for the program.

Sections 132 and 133 correct references to the former Advisory Board on Alcoholism.

DSP:ljb