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COMMITTEE REPORT

SENATE

4/21/82

FURTHER: Finance

Date:

May 7, 1982

Mr. President:

The Committee on JUDICIARY has had CSHB 591 (Jud) am

making corrective amendments in the Alaska Statutes as recommended by the revisor of statutes

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

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CHAIRMAN

COMMITTEE REPORT  
SENATE

4/21/82

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DO PASS

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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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CHAIRMAN

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 14, 1982

SUBJECT: Section 36 of Revisors Bill (CSHB 591  
(Judiciary) am)

TO: Kevin Bruce, Professional assistant  
Senate Judiciary Committee

FROM: David T. Walker *DTW for DTW*  
Co-revisor of Statutes

AS 15.15.210 was extensively amended by sec. 53, ch. 100 SLA 1980 and mistakenly repealed by sec. 231 of that same chapter.

The mistake would be corrected by section 36 of the revisors bill (CSHB 591).

The same correction is made by sec. 2 of SB 299 which passed the Senate but was defeated in the House and is being held over there for reconsideration. At least one member of the House objected to Section 2 in the floor debate on that bill.

So it can be seen that the Senate has approved this language of AS 15.15.210 in ch 100, SLA 1980 and in SB 299. The House has approved this language in ch. 100, SLA 1980 and in the revisors bill (CSHB 591 (Judiciary) am).

DTW:csh



Official Business

# Alaska State Legislature

## Senate

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

May 7, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

#### Legislation Before Committee:

- HB 210 - "An Act relating to child custody."
- HB 47 - "An Act relating to the prohibition against waste of the meat of wild food animals."
- HB 74 - "An Act relating to the rights of debtors and creditors."
- HB 339 - "An Act relating to the judicial review of administrative regulations."
- HB 591 - "An Act making corrective amendments in the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:30 P.M. Committee members present were: Senators Rodey, Anderson, Parr, and Ray. Senator Bennett was absent.

- 001 - Call to order.
- 005 - HB 210 was brought before the committee.
- 008 - Mr. Bruce goes over the changes in the committee substitute.
- 531 - After discussion, Chairman Rodey laid HB 210 on the table.
- 535 - Chairman Rodey next brought HB 47 before the committee.
- 537 - Mr. Bruce goes over the committee substitute.
- 556 - Ed Hein, Legal Services, testified, explaining the committee substitute.

705 - Senator Anderson moved the following: On Page 3, Line 25, delete [WALRUS] and delete [EXCEPTED]. Also on Page 3, Line 25, invert EXEMPTION and ANIMALS, so that it would read ANIMAL EXEMPTION. On Line 26, Page 3, delete [walrus if] and insert animals which. On Line 27, Page 3, delete [them]. There was no objection.

721 - Senator Ray moved to adopt the Senate committee substitute. There was no objection.

724 - Senator Rodey moved to pass SCSHB 47 from committee. There was no objection and the bill was passed.

733 - The next item on the agenda was HB 339.

740 - Diane Colvin, Department of Law, testified explaining the new draft.

870 - Senator Parr stated that his intent was not being met by this bill. He wanted statutes listed by specific sections, not titles and chapters which was not being set out by this legislation.

149 - Senator Parr moved to pass HB 339 with language in Diane Colvin's memo + sec. 2 of the draft committee substitute with individual recommendations. See attached.

221 - Next, Chairman Rodey brought HB 74 before the committee.

223 - Dickerson Regan, Code Revision Commission, testified, suggesting that the committee pass the bill as is because changes can be made by the revisor of statutes next year.

327 - Senator Anderson moved to pass the bill with individual recommendations.

336 - The last item on the agenda was HB 591.

340 - Mr. Walker testified in favor of this bill.

440 - Senator Anderson moved to pass HB 591 with individual recommendations. There was no objection.

444 - The meeting adjourned at 3:00 P.M.

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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

MEMORANDUM

April 30, 1982

SUBJECT: Statutory authority for regulations  
(SCS HB 339)

TO: Senator Patrick M. Rodey  
Chairman, Senate Judiciary Committee

FROM: Diane T. Colvin *DC*  
Legislative Counsel

In connection with committee work on HB 339, you asked me to prepare a proposal in response to Senator Parr's suggestion on the need for specific, rather than general, statutory authority for administrative regulations. I had previously proposed an amendment to AS 44.62.020; suggested language for that amendment is contained in my memorandum to Senator Nels Anderson of April 28th.

Another possibility would be to amend AS 24.30, relating to the enactment of statutes, to require that all bills contain express language on the adoption of regulations. I believe this may be closer to meeting Senator Parr's intent. A new section could be added to this chapter to read:

Sec. 24.30.032. REGULATIONS STATEMENT ON BILLS. Each bill shall contain a statement regarding the adoption of regulations by the agency affected by the bill. The statement shall grant the express authority to adopt regulations to implement the provisions of the bill. If a bill does not contain this statement of authority an agency may not adopt regulations to implement the statutes affected by the bill.

It is the opinion of this office that this proposal, if enacted, would have a detrimental effect on the operations of all state departments and agencies. There would be a great deal of confusion resulting from any bills enacted which did not contain this statement but which affected

Senator Rodey  
Page 2  
April 30, 1982

statutes which are part of a broad statutory scheme or part of an integrated title.

In our opinion, there is no single approach which would cure this problem. The only solution would be to go through the statutes and remove, title by title or chapter by chapter, the general authority of departments and agencies to adopt regulations.

If we can be of further assistance, please do not hesitate to contact us.

DTC:ljb



Official Business

# Alaska State Legislature

## Senate

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

APRIL 30, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

#### Legislation Before Committee:

HB 849 - "An Act relating to electric and telephone cooperatives."

HB 621 - "An Act providing for the issuance of certificates of birth for persons born outside the United States and adopted by Alaska residents."

SJR 61 - Proposing amendments to the Constitution of the State of Alaska relating to appropriations and the retention, investment and expenditure of certain state revenues; and superseding the amendments proposed by Legislative Resolve No. 1, First Special Session of the Twelfth Legislature (FSS FCCS SJR 4).

HB 591 - "An Act making corrective amendments in the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:30 P.M. Committee members present were: Senators Rodey, Parr, Anderson. Senators Bennett and Ray were absent.

001 - Call to order.

003 - Chairman Rodey brought HB 849 before the committee.

010 - Mr. Hutchins testified in favor of HB 849.

098 - Senator Rodey made the following amendments: On Page 1, Line 25, insert a "." after the word "mail". On Page 1, Line 25, delete [except that] and insert "However". On Page 1, Line 26, delete [may] and insert "shall", delete [if] insert "unless otherwise", insert "for" between "provided" and "by", delete [by] and insert "in". Also on Page 2, after Subparagraph (2), add a new subparagraph (3) to include attorney client privilege. There was no objection.

117 - For the record Senator Ray entered the meeting.

595 - Senator Parr moved on Page 2, subsection (d) delete [Reasonable]. On Page 2, Line 19, insert "of the board of directors" after "meetings". Insert "as provided for in each cooperatives bylaws" after "directors". Delete [required to be open under this section.] There was no objection. Senator Parr also moved that a new section 1 be added to the bill which would read, Sec. 10.15.005. Purposes for which cooperatives may be organized. A cooperative may be organized under this chapter for any lawful purpose, except for the purpose of [BANKING OR INSURANCE OR] the furnishing of electric or telephone service. (3 ch 107 SLA 1959).

604 - Senator Anderson moved to adopt the committee substitute. There was no objection.

609 - Senator Anderson moved to pass HB 849 with individual recommendations. There was no objection.

628 - Chairman Rodey next brought SB 621 before the committee.

630 - After brief discussion, Senator Parr asked to work as a sub-committee on SB 621. There was no objection.

635 - Next Chairman Rodey brought SJR 61 before the committee.

645 - Senator Ray moved on Page 2, Line 14, "investments in" be deleted. There was no objection. Senator Ray also moved that on line 8, page 2, the word "in" be inserted between the words "and" and "programs".

721 - Senator Rodey moved to pass SJR 61 with individual recommendations. There was no objection.

744 - The last item on the agenda was HB 591.

748 - Mr. Walker, Revisor of Statutes, testified in favor of HB 591.

823 - After brief discussion, Chairman Rodey adjourned the meeting at 2:30 P.M.

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 21, 1982

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

TO: Senator Patrick M. Rodey  
Chairman, Senate Judiciary Committee

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

This explanatory memorandum analyzes the bill as amended in the House of Representatives.

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, SLA 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. 20.

Section 3 clarifies an exemption to the requirement that a snow machine have an exhaust muffler in good working order.

Section 4 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 that did not pass in 1980.

Section 5 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.

Section 6 corrects a mistaken AS reference in the chapter that regulates the practice of dentistry.

Sections 7 and 8 eliminate technical errors in amendments to the law regulating architects, engineers and land surveyors.

Sections 9 and 10 reinstate sections of the law regulating pharmacists that were amended and then apparently repealed by mistake in Chapter 166, SLA 1980.

Section 11 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 12 corrects AS 08.98.040 to make it clear that the board of veterinarians is to hold three meetings each year.

Section 13 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 14 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 15 repeals two subsections in the code of civil procedure which expired by their own terms on July 1, 1975.

Sections 16 and 17 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 18 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 19 corrects an outdated reference to the statute relating to the certification of documents.

Section 20 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 21 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. Sunberg, 611 P.2d 44 (1980).

Section 22 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 23 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 24 corrects a minor error in the list of duties of the Department of Education.

Section 25 amends AS 14.07.050 to eliminate obsolete references to state schools and state operated schools.

Sections 26, 27 and 28 correct technical errors made in Chapter 119, SLA 1981 relating to education. (See also SB 649 to same effect)

Section 29 corrects outdated AS references in a section of the Teachers Retirement System.

Section 30 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 31 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 32 and 35 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 33 changes an incorrect AS reference in the election code.

Sections 34 and 38 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 36 and 37 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 39 and 40 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.

Section 41 amends the law establishing the Alaska Seafood Institute so as to define "value" in terms of "seafood" rather than in terms of "fisheries resource". "Seafood" is the term used throughout the law relating to the Institute. Value predicated on "fisheries resource" makes no sense in light of the rest of the enabling legislation.

Section 42 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 43 supplies a needed definition of a certificate of need to the chapter dealing with issuance of these certificates.

Section 44 clarifies the allowable investments of the Alaska Medical Facility Authority. The present law on the subject is garbled.

Section 45 repeals an obsolete requirement of the Health and Safety Code that expired by its own terms in 1976.

Section 46 deletes an obsolete portion of the Health and Safety Code that expired by its own terms in 1976.

Section 47 removes an obsolete provision relating to terms of members of the Alaska State Housing Authority.

Section 48 amends AS 18.65.310(a) to correct a reference to a repealed section which formerly governed issuance of drivers' licenses.

Section 49 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 50 repeals and reenacts for clarity a badly garbled section of the law relating to construction standards for access roads.

Section 51 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".

Section 52 repeals AS 19.65.010 which required that Marine Highway System employees be relieved at duty stations inside the state. This statute was declared unconstitutional by the United States District Court in January, 1981 (District No. 1 v. Ward, 505 F. Supp. 98 (W.D. W 1981)). The case was not appealed.

Sections 53 and 54 eliminate reference to "associate justice" of the Supreme Court. Throughout the statutes the term "justice" is used without the added term "associate".

Section 55 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 55 adds an appropriate cross reference to the AS section on the jurisdiction of the district court.

Section 56 removes a temporary provision from the statute relating to the commission on judicial qualifications.

Section 57 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 58 removes obsolete references to the alcoholic beverages title from AS 23.10.355.

Section 59 repeals an obsolete pre-statehood provision that sets a definite term for the director of employment security.

Sections 60 and 61 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 62 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 63 corrects an obsolete reference to AS 04.

Section 64 deletes an obsolete reference to repealed (but not replaced) lien foreclosure procedures.

Section 65 supplies the correct year for the "January" found in AS 29.90.010 as amended in 1981.

Section 66 deletes an obsolete reference to the magistrate court.

Section 67 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 68 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 69, 70, 90, 91, and 92 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 71 corrects a mistaken AS reference in AS 38.-50.130(a).

Section 72 repeals a reference to the defunct North Commission. See also Sec. 96.

Sections 73 and 74 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 75 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 76 repeals an obsolete reference to the state operated schools.

Sections 77 and 79 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 81 also removes an obsolete reference to July 9, 1978.

Section 78 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 80, 81, 82 and 83 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 84 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 85 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 86 repeals defunct boards from the list of board members subject to financial disclosure.

Sections 87 and 88 substitute references to "Division of Forestry" which replaced "Division of Forest, Land, and Water Management".

Section 89 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 93 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 94 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 95 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 96 repeals the defunct North Commission.

Section 97 clarifies the exempt public facilities for which a contribution for "art in public places" must be made.

Section 98 corrects a reference to "Aid to Dependent Children" to "Aid to Families with Dependent Children". This is the correct designation for the program.

Section 99 repeals the defunct Northwestern Alaska Development Committee which dissolved by its own terms on April 1, 1968.

Section 100 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 101 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).

Sections 102, 103 and 104 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 105 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 106 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 107 straightens out confusion introduced by a 1981 floor amendment to the Alaska Securities Act.

Section 108 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 109 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 110, 111, 112, 113, 114 and 119 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 110 a reference to an AS 30.25 section is completely eliminated since there is no comparable section in AS 43.04.

Section 115 deletes an obsolete reference to the definition of a "motor vehicle" and supplies the current correct definition.

Section 116 repeals a definition of "radionuclides" from AS 46.03. As noted in reference to Section 109, this term is no longer used in AS 46.03.

Sections 117 and 118 correct references to the Federal Clean Water Act enacted in 1980.

Sections 120, 121 and 122 correct references to "Aid to Dependent Children" to read "Aid to Families with Dependent Children". This is the correct designation for the program.

Sections 123 and 124 correct references to the former Advisory Board on Alcoholism.

DSP:ljb