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IN SESSION:  
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# Alaska State Legislature



Representative Mitch Abood  
CHAIRMAN

## House Committee on State Affairs

The enclosed chart on durational residency, originally prepared by former Attorney General Wilson Condon and Assistant Attorney General Bob Maynard, in 1982, has been used extensively in the preparation and drafting of "An Act relating to residency and residency requirements; and providing for an effective date." The Committee, staff and consultants would like to extend their appreciation to the invaluable research done by Mr. Condon and Mr. Maynard.

To help clarify the statutory changes contained in the House State Affairs residency bill, we have included these changes as they apply to the programs appearing on Mr. Condon's chart. They are:

- 1) The left-hand margins reflect the section numbers found in the residency bill.
- 2) material enclosed by brackets and asterisks (\*\* \*\*), indicate effect of the residency bill on the various programs listed.

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
A. <u>General</u>				
1. Governor	7 Years	Alk. Const. art. III, § 2	No	--
2. Lieutenant Governor	7 Years	Alk. Const. art. III, §§ 2 & 7	No	--
3. Board of Education Member	3 Years	AS 14.07.075	No	--
4. Legislator	3 Years	Alk. Const. art. II, § 2 AS 24.05.030	No	--
5. Supreme Court Justice	5 Years	AS 22.05.070	No	--
6. Court of Appeals Judge	5 Years	AS 22.07.040	No	--
7. Superior Court Judge	5 Years	AS 22.10.090	No	--
8. District Court Judge	5 Years	AS 22.15.160(a)	No	--
9. Magistrate	6 Months	AS 22.15.160(b)	No	--
10. Ombudsman	3 Years	AS 24.55.030	No	--
11. Borough Mayor	Up to 3 Years	AS 29.23.130(b)	No	--
12. Borough Assembly	Up to 3 Years	AS 29.23.050	No	--
13. City Mayor	Up to 3 Years	AS 29.23.250(a)	No	--
14. City Council	Up to 3 Years	AS 29.23.200(b)	No	--
15. Municipal Charter Commission	3 Years	AS 29.13.010	No	--

\*\*\*\* NO CHANGES ON THIS PAGE \*\*DURATIONAL RESIDENCE REQUIREMENT

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
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B. Boards and Commissions other than Occupational Licensing Boards. There are 98 Boards and Commissions, other than Occupational Licensing Boards, which are a part of or affiliated with state government. There is a durational residence requirement for membership on seven of those boards and commissions. \*/

1. Rural Affairs Commission	5 Years	AS 44.19.102	Maybe **/	None
2. Board of Fisheries	1 Year	AS 16.05.221 AS 16.05.940	No	--
3. Board of Game	1 Year	AS 16.05.221 AS 16.05.940	No	--
4. Judicial Qualifications Commission	10 years practice in Alaska	Al. Const. art. IV, § 10 AS 22.30.010	Maybe **/	--
5. Municipal Bond Bank Authority	30 days (qualified voter)	AS 44.85.030	No	--
6. Personnel Board	30 days (qualified voter)	AS 39.25.060	No	--
7. Alaska Power Authority	30 days (qualified voter)	AS 44.83.020	No	--

\*/ This list includes only boards and commissions which have express durational residency requirements. Many boards have ex officio members who must meet residency requirements for those offices or positions. These boards include:

- (1) Alcohol Beverage Control Board (certain licensees); (2) Capital Site Planning Commission (borough mayors);
- (3) Coastal Policy Council (mayors, assembly and council members); (4) Code Revision Commission (members of legislature);
- (5) Citizens Advisory Commission on Federal Management Areas in Alaska (governor and other public officers); (6) Commission on Conference of the Law of the Sea (members of legislature); (7) Rural Development Council (members of legislature); (8) Teacher's Retirement Board (resident who is receiving retirement benefits); (9) Tourism Advisory Board (members of legislature); and
- (10) Governor's Commission on the Administration of Justice (judicial officers, legislators and municipal officials)

\*\*/ It is difficult to imagine someone complaining about any possible constitutional problems here.

## II. LICENSES

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
<p>A. <u>Occupational Licenses.</u> The State of Alaska requires occupational licenses in 28 separate occupational areas. Residence requirements are imposed for the receipt of these licenses in seven of these occupational areas. For reasons set forth in Appendix A, we believe any residence requirement, even of zero durational length, will in most cases be unconstitutional.</p>				
Sec.2	1. Public Accountant (**delete residency requirement**)	1 Year (rebuttable)	AS 08.04.280 12 AAC 04.170	Yes  None
	2. Attorney (** no change **)	Residence	Bar Rule 5(1)(a)	Yes  Declared unconstitutional in Noll v. Alaska Bar Ass'n 8/13/82
Sec.3	Law Clerk (**delete residency requirement **)			
	3. Collection Agencies (** no change **)	1 Year, but non-resident may receive license on same basis as resident, except fee for branch offices is higher	AS 08.24.110 AS 08.24.370	No
	4. Morticians (** no change **)	1 Year in-state apprenticeship	AS 08.42.110	Yes  None
	5. Guides			
	Master Guide (** no change needed; comes in through registered guide reference **)	Residence plus hunted 10 years	AS 08.54.100	Yes  None
Sec.13	Registered Guide (** deleted **)	Resident	AS 08.54.110(2)	Yes  None
	Class A Assistant Guide (** no change **)	20 years experience in guide district in which he is to be employed although not a specific residence requirement.	AS 08.54.120	Yes  None
Sec: 13	Assistant Guide (** deleted **)	Resident	AS 08.54.140 (2)	Yes  None
Sec. 13	Transporter (** deleted **)	Resident	AS 08.54.142 (a)(1)	Yes  None

	TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
<u>Occupational Licenses (Cont.)</u>					
	6. Junk Dealer & Metal Scrapper (**no change*)	No resident requirement, but defines "resident" as present for one year.	AS 08.60.030	No	--
Sec. 4	7. Real Estate Brokers and Salesmen (** delete residency requirement. **)	Resident	AS 08.88.171	Yes	None
Sec. 9	8. Insurance Brokers, Agents and Solicitors (**delete residency requirement.	No fee change -- keep differential **)			
	' Resident Insurance Salesmen or Broker (non residents can be licensed but may pay a higher fee)	1 year	AS 21.27.090 (a)(2) res.	No	--
			AS 21.06.250 fees (no change)		--
Sec. 13	Insurance Solicitor ** deleted ** ( residency requirement)	1 year	AS 21.27.220 (1)	Yes	None

B. Other Licenses

	1. Alcoholic Beverage License (**no change**)	1 year	AS 04.11.390	Maybe	None
	2. Resident Fish & Game License (resident license costs less than non-resident license) (** no change **)	12 consecutive months	AS 16.05.940	Maybe	None

III. PUBLIC RIGHTS AND BENEFITS

A. General

	1. Voting (** no change **)	30 days	AS 15.05.510	No	--
Sec. 5	2. Annulment of Marriage (** delete 1 yr. 1 Year retain 30 days **)		AS 09.55.130	Maybe	None

	TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
<u>General (Cont.)</u>					
Sec. 13	3. Low-Cost Housing Preference (** delete 1 yr. retain 30 days ** )	1 Year	AS 18.55.330 AS 18.55.470(4) ** deleted	Probably	None
Sec. 13	4. Vocational Substitution Program (* " " * )	1 Year	AS 39.25.155(g)	Probably	None
Sec. 13	5. Industrial Incentive Tax Credits* " " *	Depends on % of 1-year residents	AS 43.26.095(b)(3)	Probably	Program is for all practical purposes no longer operating.
Sec. 7	6. Bounties for Certain Animals (* " " * )	1 year abode in Unit plus "continually maintained residence in the state . . ."	AS 16.35.130	Yes	The program is a dead letter because it has not been funded for several years.
B.	<u>Loan and Grant Programs.</u> Approximately 41 loan programs are provided for under Alaska Statutes. 35 of these are currently active programs. Of these 35, seven have some sort of durational residency feature. The dormant programs are inactive because of lack of funding. The state has one grant program requiring a period of residency for eligibility.				
	1. Fisherman's Note and Mortgage Program NOTE: this was repealed in 1982	5 Years	AS 16.10.680(a)	Yes	AG opinion pending
	2. Commercial Fishing loan See HB 15 which deleted 5 yrs. & used 2 years.	5 Years	AS 16.10.310(a)	Yes	AG opinion pending
Sec. 12	3. Limited Entry Permit Loans (CFAB) (** delete 5 yrs., insert 2 years ** )	5 Years	AS 44.81.210(a)(20)	Yes	Program inactive pending Court determination of legality of limited entry program in State v. Ostrosky.
	4. Agriculture and Fishing Loan (CFAB) (** no change **)	1 Year	Board Policy	Maybe	None
Sec. 8	5. Alaska Housing Finance Corp. One Percent Veterans' Housing Loan Rate Reduction (** delete 5 yrs., insert 2 years. ** )	5 Years	AS 18.56.101(B) (a)	Yes	AG opinion 7/14/82 instructed agency not to enforce.
Sec. 10	6. Veterans Loans (** delete 5 yrs., insert 2 years. **)	5 Years	AS 26.15.130(1)	Yes	Inactive because not currently funded.

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
<u>Loan and Grant Programs (Cont.)</u>				
7. Mining Business Loans (** no change **)	Residency and 5 Years Mining Experience in State.	AS 27.09.020	Maybe	None
8. Memorial Scholarship Loan Fund (** no change **)	No durational requirement to apply. 1/5 loan forgiven for each year employed in specialized field in Alaska.	AS 14.40.825(c)	No	- - -
9. Student Loan Program				
(a) eligibility to apply (** no change **)	2 Years	AS 14.40.765(b)	Probably	Issue pending in Andress v. Baxter
(b) 1/10 forgiven for each year of residency after education up to 50% of loan. (** no change **)	- -	AS 14.40.763(i)	Maybe	May be covered by Gilman v. Martin which is now pending in Alaska Supreme Court
Sec. 13 (c) Point Preference System for loan applicants (**repealed **)	1 Point; 2-5 Years 2 Points; 5-10 Years 3 Points; 10+ Years	renumber to 14.43.130 AS 14.40.767	Yes	Point system has not previously been utilized as Legislature has always funded all applicants.
10. Alaska Educational Incentive Grant (** no change **)	2 Years	Application form	Probably	Issue will be decided by result in Andress v. Baxter
C. <u>Land Disposal Programs</u>				
1. Land Disposal by Lottery (** no change **)	1 Year	AS 38.05.057(b)(2)	Maybe	Should be decided by Gilman v. Martin.
Sec. 13 2. Land Purchase Price Discount Program (** repealed **)	5% per year discount for each year of residency up to 10 years	AS 38.05.058	Probably	Should be decided by Gilman v. Martin.

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING IF APPLICABLE
<u>Land Disposal Programs (Cont.)</u>				
Sec. 11 3. Homesite Entry Program ( ** delete 3 yrs. and 20 yrs. ) require 1 year. **	3 years or 20 years of earlier residency) to apply	AS 38.08.030(a)(2)	Yes	AG opinion pending
	Priority given longest resident	AS 38.08.040(b)	Sec. 13 **repealed **	
4. Remote Parcel Leasing Program ( ** no change ** )	1 Year	AS 38.08.077(1)(2)	Maybe	Should be decided by Gilman v. Martin.
<u>D. Special Old Age Programs</u>				
1. Longevity Bonus Program ( ** no change in this bill ** )	25 years and presence in State at or before statehood.	AS 47.45.010(a)	Yes	Issue Pending in Vest v. Schafer
2. Pioneers' Home Program ( ** no change in this bill ** )	15 years immediately before application; or 30 years cumulative	AS 47.25.020(a) AS 47.25.035	Yes	None
Sec. 13 3. Senior Citizen Special Assessment Exemption ( ** delete 1 yr and retain 30 days. ** )	12 months	AS 29.63.065(d)(1)	Maybe	None
Sec. 6 4. Senior Citizen Exemption from Fishing License Requirement ( ** delete 30 years and insert 1 year ** )	30 years total residence	AS 16.05.400	Yes	None

Appendix A

The federal constitution's Privileges and Immunities Clause seeks to prevent discrimination against nonresidents, to further the concept of federalism, and to create a national economic unit. Shely v. Alaska Bar Ass'n, 620 P.2d 640, 642 (Alaska 1980) ("Sheley"). Although the Clause does not preclude some disparity of treatment between residents and nonresidents, it does protect activities which are "fundamental right": i.e., "basic and essential activities, interference with which would frustrate the purposes of the formation of the Union." Baldwin v. Fish & Game Comm'n, 436 U.S. 371, 388 (1978).

One such "fundamental right" is the right to engage in "common callings" and to pursue "ordinary livelihoods." Toomer v. Witsell, 334 U.S. 385, 403 (1948). This includes "professional occupations." Sheley, 620 P.2d at 643.

In order to discriminate against nonresidents when a fundamental right is involved, there must be: (1) some showing that nonresidents are "a peculiar source of the evil" which the residence requirement is meant to remedy; and (2) the discrimination against nonresidents must "bear a substantial relationship to the particular 'evil' they are said to present." Hicklin v. Orbeck, 437 U.S. 518, 526-527 (1978). For example, there cannot be less restrictive means to combat the problems attempted to be solved by the residency requirement. Sheley, 620 P.2d at 645.

A good example is the recent Alaska Supreme Court case Noll v. Alaska Bar Ass'n, \_\_\_ P.2d \_\_\_, Op. No. 2546 (August 13, 1982). In Noll, a nonresident challenged the constitutionality of Alaska Bar Rule 5(1)(a), which required that an applicant for admission to the state bar be domiciled in Alaska when he or she was actually admitted. The bar association argued that the residency requirement was needed:

(1) to assure the competency of the members of the bar;

(2) to assure familiarity with local practice and local issues;

(3) to facilitate service of process and communication with other attorneys; and

(4) to assure that members of the state bar are readily amenable to discipline and fee arbitration and are available for service on the committees that administer those procedures.

The Alaska Supreme Court rejected each and every reason offered. Although recognizing the legitimacy of those goals, the court either found these goals were not "substantial" enough to justify the discrimination, could be attained by other nondiscriminatory means, or were not furthered by the discrimination. As can be seen, this constitutional test is difficult to meet. Consequently, all residency requirements for occupational licensing are called into substantial doubt.

STATE OF ALASKA  
FISCAL NOTE

Revision Date June 13, 1983

I. REQUEST

Bill/Resolution No.: SCS CS Hb323(SA)  
 Title: "Residency & Residency Requirements"  
 Sponsor: State Affairs Committee  
 Requestor: Senate State Affairs Committee

II. FISCAL DETAIL

Agency Affected: FISH AND GAME  
 Program Category Affected: Fisheries & Game  
 BRU, Program of Subprogram(s) Affected: Sport Fisheries and Game

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
<b>TOTAL OPERATING</b>						
<b>CAPITAL</b>						
<b>REVENUE</b>	-0-	(80.6)	(88.0)	(95.5)		

FUNDING: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

General Fund - In light of declining General Fund revenue, this may be very difficult.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Beverly Reame *Beverly Reame* Phone: 465-4120  
 Division: Administration Date: \_\_\_\_\_  
 Approved by Commissioner: Don W. Collinsworth Date: 6/15/83  
 Department: Fish and Game

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- Copy to Requestor (if different from Sponsor)

3/8/83

SCS CS HB 323 (SA)

The 1980 Census showed 19,640 Alaskans ages 60 and over. It also showed 32,260 Alaskans 55 and over. Assuming the age spread is even, 2524 Alaskans will reach age 60 each year between 1980 and 1985. Population estimates adding the Alaskans reaching 60 and an overall 5% population growth would be as follows:

FY 84	28,573
FY 85	31,223
FY 86	33,873

Using a conservative estimate, assume that 15% of the population fishes and 11% hunts, we would forego the following revenue:

	<u>Sport Fish</u> \$10 license	<u>Game</u> \$12 license
FY 84	42.9	37.7
FY 85	46.8	41.2
FY 86	50.8	44.7

STATE OF ALASKA  
FISCAL NOTE

Revision Date 6/14, 1983

I. REQUEST

Bill/Resolution No: SCSCSHB 323 (SA)  
Title: Residency and residency re-  
quirements  
Sponsor: State Affairs Committee  
Requestor: Senate Judiciary

II. FISCAL DETAIL

Agency Affected: Revenue  
Program Category Affected: Coll. & Mgmt.  
BRU, Program of Subprogram(s) Affected:  
Administration & Support

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
<b>OPERATING</b>						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	0	1.0	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 COMMODITIES	0	3.0	1.3	1.4	1.5	-
500 EQUIPMENT	0	2.0	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS, ETC.	-	-	-	-	-	-
<b>TOTAL OPERATING</b>	<b>0</b>	<b>6.0</b>	<b>1.3</b>	<b>1.4</b>	<b>1.5</b>	<b>-</b>
<b>CAPITAL</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>REVENUE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	6.0	1.3	1.4	1.5	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Source)	-	-	-	-	-	-
Sport Fish Fund	0	(18.2)	(38.5)	(40.8)	(43.4)	-
Game Fund	0	(14.1)	(30.0)	(31.8)	(33.6)	-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Cecilia A. Wagoner  
Division: Revenue - Fish and Game

Phone: 465-2376  
Date: 6/13/83

Approved by Commissioner: *Joseph R. Donohue*  
Department: Revenue

Date: 6/14/83

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- Copy to Sponsor
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#### IV. Analysis of SCSCSHB 323 (State Affairs)

Three thousand is needed to initially design and print applications and the permanent I.D. card and to order enough laminating jackets for the fiscal year. Each subsequent fiscal year we will have the cost of additional laminating jackets. The equipment cost is for three laminating machines; one for the Public Services Counter in Anchorage, one for Fairbanks, and one for Juneau. The travel expenditure is for the Records & Licensing Supervisor to go to Anchorage and Fairbanks and instruct the counter employees.

According to data received from the Department of Labor and the Committee for Older Alaskans, the percentage rate of senior citizens in our state is fairly stable from year to year.

Using FY 82 as the base, it is estimated that there will be a six percent increase in resident sales every year. It is also estimated that three percent of the resident sales are sold to residents sixty years or older.

We are recommending that this bill be amended to include an effective date of January 1, 1984, because license changes traditionally take place at the beginning of a calendar year. If implemented in the middle of the year, some licensees who could be eligible would have already purchased their license and it wouldn't be fair to them. Middle of the year implementation would also require special printing and mailing costs. Time is also needed to properly inform the public of the new law so that all who are eligible can apply.

Assuming that the bill goes into effect 1/1/84, there will be no effect in FY 83. There will be losses to both the Sport Fish and Game Funds in each subsequent fiscal year. FY 84 has a much smaller loss because only half of the fiscal year will be effected.

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# Alaska State Legislature



Representative Mitch Abcock  
CHAIRMAN

## House Committee on State Affairs

The enclosed chart on durational residency, originally prepared by former Attorney General Wilson Condon and Assistant Attorney General Bob Maynard, in 1982, has been used extensively in the preparation and drafting of "An Act relating to residency and residency requirements; and providing for an effective date." The Committee, staff and consultants would like to extend their appreciation to the invaluable research done by Mr. Condon and Mr. Maynard.

To help clarify the statutory changes contained in the House State Affairs residency bill, we have included these changes as they apply to the programs appearing on Mr. Condon's chart. They are:

- 1) The left-hand margins reflect the section numbers found in the residency bill.
- 2) material enclosed by brackets and asterisks (\*\* \*\*), indicate effect of the residency bill on the various programs listed.

# ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



## SECTIONAL ANALYSIS OF: SCSCS HB 323 (SA)

"An Act relating to residency and residency requirements; and providing for an effective date."

Section 1 amends AS 01.10 by adding a new section defining bona fide residency in the State of Alaska. A person establishes residency in the State by being physically present in Alaska with the intent to remain in Alaska indefinitely and to make a home in the State. Under (b)(1) in the section, a person must maintain a principal place of abode in the state for at least 30 days or for a longer period if a longer period is required by law or regulation.

Section 2 repeals and reenacts AS 08.04.110 relating to the personal requirements of certified public accountants. The present residency requirement has been deleted.

Section 3 amends AS 08.04.260 relating to temporary certificates for certified, public accountants. The present residency requirement has been deleted.

Section 4 amends AS 08.08.207 (a) by removing the requirement that an individual be a resident of Alaska in order to be a law clerk.

Section 5 amends AS 08.42.050(a)(4) by eliminating the residency requirement for embalmer trainees.

Section 6 amends AS 08.42.110(4) to conform the definition of "trainee" to the change made in Section 5, above.

Section 7 amends AS 08.88.171 relating to qualifications for a real estate broker's license, an associate broker's license, or a real estate salesman's license. The one-year residency requirement has been deleted.

Section 8 amends AS 09.55.130 by deleting the one-year residency requirement for the annulment of a marriage. Under current law, if a person was not married in Alaska, that marriage can only be annulled if the plaintiff had been a resident for at least one year prior to the commencement of an action.

Section 9 amends AS 16.05.400(b) by changing the 30-year consecutive residency requirement to a one-year requirement for a hunting, fishing or trapping license exemption for persons 60 years of age or older.

Section 10 amends AS 16.35.130 by deleting the one-year residency requirement in the section dealing with the non-payment of bounty on certain animals. Presently, in order for a bounty to be paid, an individual is required to maintain a place of abode inside the game management unit or in part of the game management unit for one year preceeding the time the animal is taken and the bounty paid. In addition, no bounty is paid to a person who has not continually maintained legal residence in Alaska. The one-year residency requirement has been replaced by a 30-day requirement.

Section 11 amends AS 18.56.101 (1)(B), dealing with the eligibility for the one percent veteran's interest rates reduction on AHFC loans, by deleting the five-year residency requirement ~~and substituting a one-year requirement~~. The present law requires a veteran who was not a resident of Alaska at the time of entry into the service, to be a resident of Alaska for one year at the time of the date of application for a loan and also requires the applicant to have been a resident of Alaska for five years.

Section 12 amends AS 21.27.090 (a)(2), dealing with the qualifications for insurance agent and broker licenses, by deleting the one-year residency requirement and substituting a 30-day requirement. There is no change in fee differential.

Section 13 amends AS 26.10.080(d)(1)(13), relating to veteran's burial allowances, by reducing the residency requirement from five years to one year at the time of death for veterans who were not residents at the time of entry into service.

Section 14 amends AS 26.15.130 (a), dealing with the eligibility for veteran's loans, by deleting the five-year residency requirement and inserting a one-year requirement. To receive a loan under current law a veteran who was not a bona fide resident of the State or Territory of Alaska at the time of entry into the service, is required to have been a resident of the State or territory for five years.

Section 15 amends AS 38.08.030 (a)(2), dealing with applications for the non-site entry, by deleting the three-year residency requirement and the 20-year requirement, and substituting a one-year requirement. Under current law an individual must submit proof that he/she has been a resident of Alaska for three years immediately preceding the date of application, or, that the person has been an Alaskan resident for a total of 20 years.

Section 16 amends AS 44.81.210 (a)(20), dealing with limited entry permit loans (CFAB), by deleting the five-year residency requirement and substituting a two-year requirement. Under current law, a person must be a resident of Alaska for a continuous period of five years immediately preceding the date of application for the loan and who has had a crew member or commercial fishing license under AS 16.05.480 or a permit under AS 16.43.010 - 380, for any one of the past five years. That person must also have actively participated in the fishery during that period.

Section 17 grants authority to the Commission on Postsecondary Education to adopt the most stringent residency requirements allowable under the Constitution if the current two year residency for scholarship loans is declared unconstitutional by a court of competent jurisdiction.

Section 18 repeals the residency requirements for:

driver's license, AS 08.24.110(1)

guide license, AS 08.54.110(2)

assistant guide licenses, AS 08.54.140(2)

transporter license, AS 08.54.142(a)(1)

definition of "resident" in the chapter regulating guides, AS 08.54.240(3)(B)

granting student loans based on accumulated points determined by length of residency, AS 14.43.130

ASHA low-cost housing, AS 18.55.470(4)

insurance solicitor license, AS 21.27.220(1)

(CONT)

Section 18 repeals the residency requirements for:

senior citizen special assessment exemption, AS 29.53.065(d)(1)

state land sale discounts, AS 38.05.058

homesite entry permits, AS 38.08.040(h)

vocational substitution program, AS 39.25.155(g)

industrial incentive tax credits, AS 43.26.095(b)(3)