

SB

107

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 26, 1987

SUBJECT: CSSB 107(Judiciary)

TO: Senator Jalmar Kerttula  
Chairman, Senate Judiciary Committee

FROM: David R. Dierdorff *[Signature]*  
Revisor of Statutes

This memorandum discusses the draft committee substitute prepared for the consideration of the Judiciary Committee. The draft incorporates my additions and corrections and the amendments suggested by Senators Sturgulewski and Josephson.

Summary of Changes

The draft contains 10 new sections. They are: 18, 24, 28, 29, 30, 34, 42, 43, 51, and 54. Three sections that were in the printed bill have been deleted. The deleted sections were numbered 36, 37, and 39.

In addition, three sections have been substantially modified. Those sections are: sec. 33, which was sec. 28 in the printed bill; sec. 41, which was sec. 35, and sec. 46, which was sec. 41.

Summary of Effect

To assist you in understanding the draft, I have summarized the contents by grouping sections that have similar effects.

Sections that delete obsolete provisions:

The following sections delete or repeal provisions that have become obsolete either through the passage of time or other legislative action: 2, 4, 6, 8 - 11, 19, 21, 23, 24, 29 - 31, 36, 42, 49, 50, 51, 54, 57, 58, 61, and 63 - 65.

Sections that update obsolete provisions:

The following sections substitute new provisions for provisions that are obsolete or otherwise outdated, and make conforming changes in related provisions: 1, 3, 5, 7, 16 - 18, 20, 41, 46, 47, 52, and 56.

Sections that repeal redundant provisions:

The following sections repeal provisions that are duplicated by other applicable law, and make conforming changes in related provisions: 12 - 15, 28, and 43.

Sections that eliminate conflicts with other laws:

The following sections resolve conflicts with other statutes, the constitution, court decisions, opinions of the attorney general, or the Rules of Court: 22, 33, 34, 44, 48, 53, 55, and 62.

Sections that correct errors or oversights in drafting:

The following sections correct errors or oversights in drafting, or make conforming amendments to harmonize laws passed during the same legislative session that could not be harmonized editorially: 25 - 27, 32, 35, 37 - 40, 45, 59, 60, and 66.

Sectional Analysis

Section 1. Section 1 of the bill corrects a statutory reference and makes other form and style changes in AS 06.30.720. AS 06.30.660 was repealed by sec. 54, ch. 169, SLA 1978. The same 1978 Act, in sec. 42, enacted AS 06.01.030, with substantially the same provisions as former AS 06.30.660. Requested by Division of Banking and Securities.

Sec. 2. All of the former paragraphs of the two subsections proposed for repeal (relating to sunset review of certain agencies) have been repealed, leaving only irrelevant introductory text in the subsections.

Sec. 3. See analysis of sec. 5.

Sec. 4. AS 08.04.250 was repealed in 1976, making the reference obsolete.

Sec. 5. This section and sec. 3 conform the usages to current style for defined terms. The term "live permit" is used in several sections of AS 08.04, but the only definition has been the archaic reference in AS 08.04.500(a), proposed for amendment in sec. 3. The definition proposed for enactment in sec. 5 replaces the archaic reference.

Sec. 6. The deleted material is obsolete.

Sec. 7. The federal law which defined "motorboats" for the purpose of AS 08.62.180 has been repealed. The proposed amendment substitutes the substance of the former federal law.

Secs. 8 - 11. AS 08.64.200(1) was repealed in 1983, making the references obsolete.

Sec. 12. The definition in the section proposed for repeal duplicates a definition of the same term ("commission") in AS 08.88.431.

Secs. 13 - 15. The section proposed for repeal in sec. 15, AS 09.17.090, was enacted in the "tort reform" bill last session (ch. 139, SLA 1986). It is identical to the existing provisions of AS 09.16.040, which was enacted in 1970 and is part of the Uniform Contribution among Tortfeasors Act. Because the enactment of AS 09.17.090 did not add anything to the substantive law of Alaska and because the state's courts have had several occasions to interpret and enforce the existing statute, it is recommended that the legislature repeal the new provision to avoid confusion in the future. (An earlier version of the tort reform bill would have repealed AS 09.16, making the enactment of AS 09.17.090 necessary.) Sections 13 and 14 make changes in AS 09.17.080(a) and (c) required if AS 09.17.090 is repealed.

Secs. 16 and 17. Sections 16 and 17 make changes to AS 09.38.115 to reflect changes made by the federal government in the timing of issuance of the Anchorage CPI and to clarify the mandate of AS 09.38.115(b). The change was requested by the Department of Labor. The change of date in AS 09.38.115(b) from July 1 to October 1 was requested by the Court System to ensure adequate lead time in the preparation of related forms and to allow the efficient utilization of existing form inventories.

Sec. 18. This section updates a part of the definition of "gambling enterprise" to include a reference to municipalities, which were added in 1982 to the entities that may be licensed under AS 05.15 to conduct certain gambling activities. The internal references are also updated to current style for such references.

Sec. 19. The subsection proposed for repeal is obsolete. It was operative only during 1976.

Sec. 20. AS 28.10.255 was repealed in 1978. The current provisions relating to the motor vehicle registration tax are found in AS 28.10.431, and this section proposes that the reference to those laws in AS 14.17.140(b) be updated.

Sec. 21. The material proposed for deletion is obsolete.

Sec. 22. An April 22, 1986, memo from Assistant Attorney General Cary Amendola to Assistant Attorney General Art Peterson discussed the authority of the Alaska Commission on Postsecondary Education to adopt regulations related to the Guaranteed Student Loan Program. The commission desired to adopt the regulations to implement its role as the state guaranty agency for the federal loans. The memo concluded that the commission has the implied authority to adopt the regulations, but urged that the authority be made express through an amendment to AS 14.42.030(b)(3). Section 22 of this draft would accomplish that.

Sec. 23. Last year AS 15.13.070(f) was repealed. The related provision in AS 15.13.120(a)(2) providing that "making a campaign contribution or expenditure which exceeds the limitations of AS 15.13.070(f)" is a crime, was not repealed. This section of the draft bill corrects that oversight. AS 15.13.070(f) had set out the permissible total expenditures by a candidate and groups controlled by a candidate.

Sec. 24. This section deletes a sentence that was rendered obsolete by the repeal of AS 16.05.340(e) in 1986. The repealed subsection had established additional fees for big game taken on a guided hunt.

Secs. 25 - 27. The amendments proposed by secs. 25 - 27 of the draft would correct an apparent oversight in ch. 132, SLA 1984. When enacting AS 16.05.925, the legislature intended to make uniform the penalty for violations of

regulations adopted under the fish and game laws. However, the new provision failed to take into account the existence of certain specific penalties in AS 16.05.430, 16.05.831, and 16.05.860, with the result that the penalty for violating a regulation adopted under one of those sections would carry a stiffer penalty than a violation of the section itself. That result could not be legally enforced, of course, but the oversight leads to confusion and uncertainty. The proposed amendments assume that the legislature did not intend to impliedly repeal the referenced penalty provisions, but, rather, that the lesser penalties for certain sport hunting and fishing violations should remain. The problem was brought to our attention by Jim Parker, director of magistrate services for the Court System, and Karla Forsythe, staff counsel for the system.

Sec. 28. The provisions proposed for repeal are definitions that became redundant when the definitions in AS 16.05.940 were made applicable to AS 16.10 - AS 16.40 in 1984.

Sec. 29. The material proposed for deletion is obsolete, relating only to the initial appointments to the entry commission.

Sec. 30. The section proposed for repeal related to the personal income tax repealed in 1980. It provided that the purchase of an entry permit is a deductible business expense under that tax. Should the legislature reinstate a personal income tax, the treatment of deductible expenses should be enacted within the tax laws rather than within the laws relating to state programs.

Sec. 31. The subsection proposed for repeal deals solely with a report that was to have been made to the legislature in 1975 and is now obsolete.

Sec. 32. The Alaska Guaranty Association Act (AS 21.80), enacted in 1970, was based on a Model Act promulgated by the National Association of Insurance Commissioners. Because the title of the administrative official regulating insurance in almost every state is "commissioner," the Model Act used that term and Alaska enacted it without change. In Alaska, the corresponding official is the director of the division of insurance, reporting to the commissioner of commerce and economic development (see AS 21.06). Although the use of the term "commissioner" in AS 21.80 presents no substantive legal problems, because the commissioner of

commerce and economic development has the authority to delegate all responsibility to the director, it does cause some confusion. The division of insurance requested that the change of name be proposed in the revisor's bill. Section 32 of the draft would accomplish the desired result.

Sec. 33 and 34. Section 33 amends AS 22.15.240(c) to provide that the Rules of Appellate Procedure govern appeals from district to superior court. The Court System had requested that the subsection be amended so that the time of filing provided in the statute be the same as that in the rules of court in order to avoid confusion. Because the Rules of Appellate Procedure supersede the statutes, and because the legislature cannot amend rules of procedure, the subcommittee recommended that the statute be amended to simply refer to the rules. This will avoid future conflicts and confusions, or the need to continually amend the statute to reflect changes in the rules. Section 34 would repeal AS 22.15.240(d), which provides simply that "the supreme court shall prescribe further rules for the procedure for appeals from district court."

Secs. 35 and 37 - 39. Chapter 38, SLA 1986, which was intended solely to exempt purchases made with food stamps from municipal sales and use taxes, amended AS 29.45.700(a) and made a related amendment to AS 29.10.200. Unfortunately, a drafting error in ch. 38 led to an unintended result. Instead of the narrow result contemplated by the legislature, and reflected in the title of CSHB 697 (HESS), the amended law could be construed to require a home rule city in a borough that levies and collects an areawide sales tax to levy and collect a sales or use tax only in a manner identical to that of the borough in which the city is located. The amendments proposed in secs. 35, 37 and 38 of this draft would correct the error. Section 39 of the draft would make the amendments retroactive to October 1, 1986, the effective date of ch. 38, SLA 1986. The amendments were requested by the Department of Community and Regional Affairs and the City of Ketchikan.

Sec. 36. The referenced federal law was repealed by P.L. 91-606, making the reference obsolete.

Sec. 40. As a part of the new procurement code, AS 33.30.050, dealing with medical services for prisoners, and AS 33.30.062, dealing with privately operated

correctional facilities, were amended to incorporate express provisions subjecting the covered activities to AS 36.30. In ch. 88, SLA 1986, the corrections code was substantially rewritten and AS 33.30.050 and 33.30.062 were repealed. The proposed addition of a section to AS 33.30 making contracting activities under AS 33.30 subject to AS 36.30 is probably not required as a matter of law (AS 36.30 governs all state contracting activities unless expressly excluded), but the section is proposed to carry out the legislature's intent in enacting the 1986 amendments to the two repealed sections.

Sec. 41. The section amends AS 33.30.031(c) to reflect the repeal of AS 37.05.230(1)(B) and the adoption of corresponding provisions (relating to sole source procurements) in AS 36.30. This would continue the requirement that contracts for confinement and care of prisoners must be competitively bid.

Sec. 42. The section proposed for repeal is obsolete, relating only to construction contracts entered into before April 1, 1957. It exempted those contracts from procedures enacted in 1957.

Sec. 43. The two provisions proposed for repeal are definitions of "department" that are redundant to a definition in AS 35.25.020 that applies to all of AS 35.

Sec. 44. In 1985, jurisdiction in actions involving contractors' bonds under AS 08.18 was transferred from the superior court to the district court (sec. 1, ch. 17, SLA 1985). The change proposed in the first sentence of AS 36.25.020 would give the district and superior courts concurrent jurisdiction over suits involving bonds posted under Alaska's "little Miller Act" by contractors on public projects. Thus, the amount sought by the plaintiff would determine whether the suit would be filed in district or superior court. The proposed amendment would also add language codifying the rule of State v. Tyonek Timber, Inc., 680 P.2d 1148 (1984), in which the supreme court held that a contractor or subcontractor suing under AS 36.25 is subject to the registration requirements of AS 08.18 and, consequently, the penalty provisions of AS 08.18.151. The amendments were suggested by the Court System.

Sec. 45. Adds a provision to the procurement code to conform to the program receipts Act (ch. 138, SLA 1986). A

similar former provision had been amended by ch. 138, SLA 1986, but was repealed by ch. 106, SLA 1986.

Sec. 46. The section proposed for amendment was enacted as part of the new procurement code, but was derived from CSHB 679(SA), which was merged into the procurement bill. The proposed amendment would delete a reference to a provision repealed by the procurement Act and add a reference to similar provisions enacted by ch. 16, SLA 1986.

Sec. 47. The amendment conforms the subsection to the new procurement code, which repealed AS 37.05.230 and contains all of the relevant competitive bidding provisions of state law.

Sec. 48. The two sections in AS 37.05 that are proposed for repeal establish the reserve for capital outlay account and the reserve for energy facilities development account in the general fund. The paragraph in AS 37.07.062 proposed for repeal relates to the reserve for capital outlay account and needs to be repealed if the account is repealed. The attorney general has determined that both accounts violate the prohibition against dedicated funds contained in art. IX, sec. 7 of the state constitution. On the advice of the attorney general, no deposits have ever been made to the accounts, and neither has an outstanding balance.

Sec. 49. The material proposed for deletion is time-dated and now obsolete.

Sec. 50. The statute proposed for repeal, AS 37.20.040, is obsolete. The state's obligation to pay into the Alaska Native Fund under sec. 9 of ANCSA was extinguished when the state paid a total of \$500 million to the fund. The last payment was made under an appropriation in ch. 120, SLA 1980. The Department of Revenue requested the repeal.

Secs. 51 and 54. The provisions proposed for repeal were made obsolete by the repeal of the Alaska Energy Center last year.

Sec. 52. AS 38.05.077 was repealed when AS 38.09 was enacted. The two references to the repealed section should have been drafted to read as proposed by this amendment.

Sec. 53. Without the amendment proposed by this section, it is arguable that a student member of the Board of Regents or

the Commission on Postsecondary Education is not eligible to serve unless the student was old enough to have voted in the last general election. This is inconsistent with the laws creating the student positions, which have no age requirements for the student member appointees. The amendment was requested by the Department of Law.

Sec. 55. The repeal of AS 43.05.210 would eliminate an old dedication of certain federal mineral leasing revenues. The dedication was required by the federal law, which has since been amended to eliminate the required dedication. In any event, the state has never identified this dedicated revenue stream as a fund source in the budget process. The Department of Revenue requested the repeal.

Sec. 56. The amendment clarifies the language of AS 43.70.020(b) to reflect changes made in the business license tax in 1978 and 1984.

Sec. 57. The provisions proposed for repeal were rendered obsolete by the repeal of AS 43.70.030(b) in 1984 and the change from a "gross receipts" tax to an annual license in 1978. All businesses now pay a flat \$25 per year business license fee.

Sec. 58. The material proposed for deletion was rendered obsolete by the repeal of AS 43.70.030(b) in 1984.

Sec. 59. This corrects an oversight in ch. 106, SLA 1986 (the procurement code) by listing RFP's issued under AS 36.30.210 among those actions that must be published in the Alaska Administrative Journal. Publication of the RFP's is required by AS 36.30.210(c) and 36.30.130.

Sec. 60. The Department of Commerce and Economic Development currently manages 11 different state loan programs, using identical procedures for all of the programs. The procedures include an administrative appeal process. See 3 AAC 77 - 87. When the Fisheries Enhancement Loan Program was established in 1976, the hearing provisions of the Administrative Procedure Act were made applicable to that loan program. None of the other 10 programs were included under the APA, and, in fact, DCED was not aware that the fisheries loan program was included until an assistant attorney general recently discovered the inclusion. Both DCED and the Department of Law believe that the 1976 inclusion was the result of an error rather than an intentional

legislative decision. The repeal of AS 44.62.330(a)(46) as proposed in sec. 60 of the bill would remove this anomaly.

Sec. 61. The material proposed for deletion is obsolete.

Sec. 62. The amendment proposed by this section would conform the requirements of AS 45.55.090(b)(1) to those of AS 45.55.100(b)(12) (dealing with a closely related matter) and eliminate an unnecessary requirement. The amendment was requested by the division of banking, securities and corporations and the Department of Law.

Sec. 63. The deleted material is obsolete.

Sec. 64. The deleted material is obsolete.

Sec. 65. The material proposed for deletion is obsolete.

Sec. 66. The version of the procurement code that became law did not contain the paragraph (4) referenced in sec. 65(1) of ch. 106. The proposed amendment substitutes the substance of proposed AS 36.30.510(4), which was included in earlier versions of the procurement code bill, for the obsolete reference.

Sec. 67. The bill is given a specific effective date, rather than the usual immediate effective date, in order to have it take effect on the same date that the procurement code takes effect.

DRD:mkr  
m9/057

cc: Art Peterson  
Department of Law

Karla Forsythe  
Court System

5-0070B  
Dierdorff  
2/26/87

Original sponsor: Rules/Legislative Council

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 107 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making corrective amendments to the Alaska  
7 Statutes as recommended by the revisor of statutes;  
8 and providing for an effective date."

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

10 \* Section 1. AS 06.30.720 is amended to read:

11 Sec. 06.30.720. PETITION BY COMMISSIONER. The commissioner,  
12 acting through the attorney general, may apply to the superior court  
13 for the appointment of a receiver, if in the [HIS] judgment of the  
14 commissioner the public interest requires it and [EITHER]

15 (1) irregularities complained of in an order of the commis-  
16 sioner under AS 06.01.030 [AS PROVIDED IN SEC. 660 OF THIS CHAPTER]  
17 are not corrected; [, OR]

18 (2) irregularities complained of in a petition for the  
19 appointment of a conservator are not corrected; [,] or

20 (3) an [IN THE CASE OF ANY] emergency exists.

21 \* Sec. 2. AS 08.03.010(a) and (b) are repealed.

22 \* Sec. 3. AS 08.04.500(a) is amended to read:

23 (a) A person may not assume or use the title or designation  
24 "certified public accountant" or the abbreviation "CPA" or any other  
25 title, designation, word, letter, abbreviation, sign, card, or device  
26 tending to indicate that person is a certified public accountant,  
27 unless the person has received a certificate, holds a live permit  
28 [ISSUED UNDER AS 08.04.390 - 08.04.440, HEREINAFTER REFERRED TO AS A  
29 "LIVE" PERMIT], and all of the person's offices in this state for the

1 practice of public accounting are maintained and registered as re-  
2 quired by AS 08.04.350 - 08.04.380.

3 \* Sec. 4. AS 08.04.510(b) is amended to read:

4 (b) A partnership or corporation of certified public accountants  
5 in good standing in any state, not registered as a partnership or  
6 corporation of certified public accountants under AS 08.04.240 [AND  
7 08.04.250] but holding a permit under AS 08.04.420, may use the title  
8 or designation "certified public accountants."

9 \* Sec. 5. AS 08.04.680 is amended to read:

10 Sec. 08.04.680. DEFINITIONS. In this chapter [AS USED IN AS 08.-  
11 04.010 - 08.04.690]

12 (1) "board" means the Board of Public Accountancy;

13 (2) "certificate" means certificate as a certified public  
14 accountant;

15 (3) "license" means license as a public accountant;

16 (4) "live permit" means a permit issued under AS 08.04.-  
17 390 - 08.04.440 [REPEALED].

18 \* Sec. 6. AS 08.62.020 is amended to read:

19 Sec. 08.62.020. APPOINTMENT AND TERM OF OFFICE. The governor  
20 shall appoint the pilot and agent or manager members of the board,  
21 subject to confirmation by a majority of the members of the legisla-  
22 ture in joint session, for terms of four years, or until their succes-  
23 sors are appointed. A [THE FIRST MEMBERS SHALL BE INITIALLY APPOINTED  
24 FOR ONE, TWO, THREE AND FOUR YEAR TERMS. NO] person, with the excep-  
25 tion of the commissioner or the commissioner's designee, may not be  
26 appointed to the board for more than two consecutive terms.

27 \* Sec. 7. AS 08.62.180 is amended to read:

28 Sec. 08.62.180. EXEMPTIONS. This chapter does not apply to

29 (1) vessels under enrollment, except as provided in

1 AS 08.62.185;

2 (2) fishing vessels registered in the United States or in  
3 British Columbia, Canada;

4 (3) vessels propelled by machinery and not more than 65  
5 feet in length over deck, except tugboats and towboats propelled by  
6 steam [MOTORBOATS AS DEFINED IN SEC. 1 OF THE FEDERAL MOTOR BOAT ACT  
7 OF 1940 (54 STAT. 163; 46 U.S.C., SEC. 526 ET SEQ.)];

8 (4) vessels of United States registry of less than 300  
9 gross tons and tow boats of United States registry and vessels owned  
10 by the State of Alaska, engaged exclusively

11 (A) on the rivers of Alaska, or

12 (B) in the coastwise trade on the west coast of the  
13 United States including Alaska, Hawaii, and British Columbia,  
14 Canada;

15 (5) vessels of Canada, including Canadian cruise ships,  
16 engaged in frequent trade between British Columbia and Alaska, if  
17 reciprocal exemptions are granted by Canada to vessels owned by the  
18 State of Alaska and those of United States registry; and

19 (6) pleasure craft.

20 \* Sec. 8. AS 08.64.205 is amended to read:

21 Sec. 08.64.205. QUALIFICATIONS FOR OSTEOPATH APPLICANTS. Each  
22 osteopath applicant shall meet the qualifications prescribed in  
23 AS 08.64.200(4) and (5) [AS 08.64.200(1), (4) AND (5)] and shall

24 (1) submit a certificate of graduation from the legally  
25 chartered school of osteopathy approved by the board;

26 (2) submit a certificate from a hospital approved by the  
27 American Medical Association or the American Osteopathic Association  
28 which certifies that the osteopath has satisfactorily completed and  
29 performed the duties of intern or resident physician for one year;

1 (3) take the examination required by AS 08.64.210 or be  
2 certified to practice by the National Board of Examiners for Osteo-  
3 pathic Physicians and Surgeons.

4 \* Sec. 9. AS 08.64.209(a) is amended to read:

5 (a) Each applicant who desires to practice podiatry shall meet  
6 the qualification [QUALIFICATIONS] prescribed in AS 08.64.200(4)  
7 [AS 08.64.200(1) AND (4)] and shall

8 (1) submit a certificate of graduation from a legally  
9 chartered school of podiatry approved by the board;

10 (2) take the examination required by AS 08.64.210; the  
11 State Medical Board shall call to its aid a podiatrist of known abil-  
12 ity who is licensed to practice podiatry to assist in the examination  
13 and licensure of applicants for a license to practice podiatry;

14 (3) meet other qualifications of experience or education  
15 which the board may require.

16 \* Sec. 10. AS 08.64.225 is amended to read:

17 Sec. 08.64.225. FOREIGN MEDICAL GRADUATES. Applicants who are  
18 graduates of medical colleges not accredited by the American Medical  
19 Association or one of its agencies shall meet the requirements of  
20 AS 08.64.200(3), (4) and (5) [AS 08.64.200(1), (3), (4) AND (5)] and  
21 must have passed an examination and be certified by the Education  
22 Council on Foreign Medical Graduates, or be licensed by examination in  
23 another state or territory of the United States or province of Canada.

24 \* Sec. 11. AS 08.64.272 is amended to read:

25 Sec. 08.64.272. RESIDENCY AND INTERNSHIP. For the limited  
26 purpose of doing residency or internship work, the board may issue a  
27 temporary permit to an applicant without examination if the applicant  
28 meets the requirement [REQUIREMENTS] of AS 08.64.200(2) [AS 08.64.-  
29 200(1) AND (2)], pays the required fee, and has been accepted by an

1 eligible institution in the state for the purpose of doing residency  
2 or internship work.

3 \* Sec. 12. AS 08.88.500 is repealed.

4 \* Sec. 13. AS 09.17.080(a) is amended to read:

5 (a) In all actions involving fault of more than one party to the  
6 action, including third-party defendants and persons who have been  
7 released under AS 09.16.040 [AS 09.17.090], the court, unless other-  
8 wise agreed by all parties, shall instruct the jury to answer special  
9 interrogatories or, if there is no jury, shall make findings, indicat-  
10 ing

11 (1) the amount of damages each claimant would be entitled  
12 to recover if contributory fault is disregarded; and

13 (2) the percentage of the total fault of all of the parties  
14 to each claim that is allocated to each claimant, defendant, third-  
15 party defendant, and person who has been released from liability under  
16 AS 09.16.040 [AS 09.17.090].

17 \* Sec. 14. AS 09.17.080(c) is amended to read:

18 (c) The court shall determine the award of damages to each  
19 claimant in accordance with the findings, subject to a reduction under  
20 AS 09.16.040 [AS 09.17.090], and enter judgment against each party  
21 liable. The court also shall determine and state in the judgment each  
22 party's equitable share of the obligation to each claimant in accor-  
23 dance with the respective percentages of fault.

24 \* Sec. 15. AS 09.17.090 is repealed.

25 \* Sec. 16. AS 09.38.115(b) is amended to read:

26 (b) The dollar amounts change on October [JULY] 1 of each even-  
27 numbered year if the percentage of change, calculated to the nearest  
28 whole percentage point, between the index for January [NOVEMBER] of  
29 that [THE PRECEDING] year and the most recent [REFERENCE BASE] index

1 used to change the exemption amount, is 10 percent or more, but

2 (1) the portion of the percentage change in the index in  
3 excess of a multiple of 10 percent is disregarded and the dollar  
4 amounts change only in multiples of 10 percent of the amounts appear-  
5 ing in this chapter on August 26, 1982; and

6 (2) the dollar amounts do not change if the amounts re-  
7 quired by this section are those currently in effect as a result of  
8 earlier application of this section.

9 \* Sec. 17. AS 09.38.115(d) is amended to read:

10 (d) The Department of Labor shall adopt a regulation, announcing

11 (1), on or before June [APRIL] 30 of each year in which  
12 dollar amounts are to change, the changes in dollar amounts required  
13 by (b) of this section; and

14 (2) promptly after the changes occur, changes in the index  
15 required by (c) of this section, including, if applicable, the numer-  
16 ical equivalent of the reference base index under a revised reference  
17 base index and the designation or title of any index superseding the  
18 index.

19 \* Sec. 18. AS 11.66.280(4) is amended to read:

20 (4) "gambling enterprise" means a gambling business that  
21 [WHICH]

22 (A) includes five or more persons who conduct, fi-  
23 nance, manage, supervise, direct, or own all or part of the  
24 business;

25 (B) has been or remains in substantially continuous  
26 operation for a period in excess of 30 days or has a gross income  
27 of \$2,000 or more in any single day; and

28 (C) is not a municipality or a qualified organization  
29 under AS 05.15.210 [AS 05.15.210(15)], except that, for purposes

1 of this paragraph, no application for a license under AS 05.15  
2 [AS 05.15.210(15)] is required to be considered a qualified  
3 organization;

4 \* Sec. 19. AS 14.07.058(f) is repealed.

5 \* Sec. 20. AS 14.17.140(b) is amended to read:

6 (b) Motor vehicles subject to the motor vehicle registration tax  
7 under AS 28.10.431 [AS 28.10.255] shall be treated as taxable property  
8 for purposes of (a) of this section.

9 \* Sec. 21. AS 14.20.420(a) is amended to read:

10 (a) The term of office For each member of the commission is  
11 three years and until a successor is appointed [, EXCEPT THAT MEMBERS  
12 OF THE FIRST COMMISSION SHALL BE APPOINTED AS FOLLOWS: THREE MEMBERS  
13 FOR ONE YEAR, THREE MEMBERS FOR TWO YEARS, AND THREE MEMBERS FOR THREE  
14 YEARS. MEMBERS OF THE FIRST COMMISSION SHALL DRAW BY LOT FOR THE  
15 INITIAL TERM OF APPOINTMENT].

16 \* Sec. 22. AS 14.42.030(b) is amended to read:

17 (b) The commission shall:

18 (1) develop a comprehensive statewide plan for coordinated  
19 postsecondary education in the state and serve as the state commission  
20 on postsecondary education required under sec. 1202 of Title XII of  
21 the Higher Education Act of 1965, as amended by the Education Amend-  
22 ments of 1972 (PL 92-318, sec. 196; 86 Stat. 324);

23 (2) establish a state advisory council on community col-  
24 leges and develop a comprehensive statewide plan for the expansion and  
25 improvement of the community colleges under sec. 1001 of Title X of  
26 the Higher Education Act of 1965, as amended by the Education Amend-  
27 ments of 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313);

28 (3) serve as the state agency required under secs. 105 of  
29 Title I (Community Service and Continuing Education), 603 of Title VI

1 (Financial Assistance for Undergraduate Education), [AND] 704 of Title  
2 VII (Construction of Academic Facilities), and Part B of Title IV  
3 (Guaranteed Student Loan Program) of the Higher Education Act of 1965  
4 (PL 89-329; 79 Stat. 1220, 1262; 20 U.S.C. 1005, 1123) as authorized  
5 by sec. 1202(c) of Title XII of the Higher Education Act of 1965, as  
6 amended by the Education Amendments of 1972 (PL 92-318, sec. 196; 86  
7 Stat. 324);

8 (4) administer the provisions of AS 14.43.090 - 14.43.160  
9 (student loan program), and serve as the student financial aid commit-  
10 tee;

11 (5) administer the provisions of AS 14.48 (regulation of  
12 postsecondary educational institutions);

13 (6) resolve any disputes that exist or arise under a con-  
14 sortium or other cooperative agreement between institutions of public  
15 and private higher education in the state.

16 \* Sec. 23. AS 15.13.120(a)(2) is repealed.

17 \* Sec. 24. AS 16.05.390(b) is amended to read:

18 (b) Each agent authorized to sell licenses or tags under AS 16.-  
19 05.380 shall, as directed by the commissioner of revenue, transmit the  
20 proceeds from the sales of licenses and tags, except the amount autho-  
21 rized to be retained, together with a report of the sales, to the  
22 commissioner for deposit in the fish and game fund or the general  
23 fund. [FEES IMPOSED UNDER AS 16.05.340(e) SHALL BE COLLECTED AND  
24 TRANSMITTED IN THE SAME MANNER.]

25 \* Sec. 25. AS 16.05.430(a) is amended to read:

26 (a) A person who violates AS 16.05.330 - 16.05.420 or a regula-  
27 tion adopted under AS 16.05.330 - 16.05.420 is guilty of a misdemeanor  
28 and upon conviction is punishable by a fine of not more than \$1,000,  
29 or by imprisonment for not more than six months, or by both.

1 \* Sec. 26. AS 16.05.860 is amended to read:

2       Sec. 16.05.860. PENALTY FOR VIOLATING FISHWAY AND HATCHERY  
3 REQUIREMENTS. (a) The owner of a dam or obstruction who fails to  
4 comply with AS 16.05.840 or 16.05.850 or a regulation adopted under  
5 AS 16.05.840 or 16.05.850 within a reasonable time specified by writ-  
6 ten notice from the commissioner is guilty of a misdemeanor, and is  
7 punishable by a fine of not more than \$1,000. Each day the owner  
8 fails to comply constitutes a separate offense.

9       (b) In addition to the fine, the dam or other obstruction  
10 managed, controlled, or owned by a person violating AS 16.05.840 or  
11 16.05.850 or a regulation adopted under AS 16.05.840 or 16.05.850 is a  
12 public nuisance and is subject to abatement.

13 \* Sec. 27. AS 16.05.925 is amended to read:

14       Sec. 16.05.925. PENALTY FOR VIOLATIONS. Except as provided in  
15 AS 16.05.430, 16.05.720, 16.05.831, and 16.05.860, a [A] person who  
16 violates AS 16.05.920, or a regulation adopted under this chapter or  
17 AS 16.20, is guilty of a class A misdemeanor. [HOWEVER, A PERSON WHO  
18 VIOLATES A REGULATION ADOPTED UNDER THIS CHAPTER FOR THE REGULATION OF  
19 COMMERCIAL FISHERIES IS SUBJECT TO THE PENALTIES SET OUT IN AS 16.05.-  
20 720.]

21 \* Sec. 28. AS 16.10.475 and AS 16.30.030(3) are repealed.

22 \* Sec. 29. AS 16.43.030(a) is amended to read:

23       (a) The members of the commission shall be appointed for terms  
24 of four years. [INITIAL APPOINTMENTS SHALL BE AS FOLLOWS: ONE MEMBER  
25 FOR TWO YEARS, ONE MEMBER FOR THREE YEARS, AND ONE MEMBER FOR FOUR  
26 YEARS.]

27 \* Sec. 30. AS 16.43.182 is repealed.

28 \* Sec. 31. AS 16.43.980(b) is repealed.

29 \* Sec. 32. The revisor of statutes shall substitute "director" for

1 "commissioner" where the latter appears in the following provisions of  
2 AS 21.80 (Alaska Guaranty Association Act): AS 21.80.050(a) and (b);  
3 21.80.060(a)(5) and (6); 21.80.070(a), (c)(7) and (8), and (d); 21.80.080;  
4 21.80.110; 21.80.120; 21.80.150; and 21.80.170(a) and (b).

5 \* Sec. 33. AS 22.15.240(c) is amended to read:

6 (c) An appeal from the district court is governed by the Rules  
7 of Appellate Procedure [SHALL BE TAKEN WITHIN 30 DAYS FROM THE DATE OF  
8 ENTRY OF THE JUDGMENT. ALL APPEALS SHALL BE ON THE RECORD].

9 \* Sec. 34. AS 22.15.240(d) is repealed.

10 \* Sec. 35. AS 29.10.200(43) is amended to read:

11 (43) AS 29.45.700(d) (sales and use tax) [AS 29.45.700(a)  
12 (POWER OF LEVY)]

13 \* Sec. 36. AS 29.45.230(e) is amended to read:

14 (e) In this section "disaster" means a major disaster declared  
15 by the President of the United States under [THE PROVISIONS OF 42  
16 U.S.C. SEC. 1855 - 1855g (FEDERAL DISASTER ACT OF 1950), OR OTHER]  
17 federal law [,] or a disaster declared by the governor under AS 26.-  
18 23.010 - 26.23.110.

19 \* Sec. 37. AS 29.45.700(a) is amended to read:

20 (a) A city in a borough that levies and collects areawide sales  
21 and use taxes may levy sales and use taxes on all sources taxed by the  
22 borough in the manner provided for boroughs. Except as provided in  
23 (d) of this section, the [THE] assembly may by ordinance authorize a  
24 city to levy and collect sales and use taxes on other sources [EXCEPT  
25 PURCHASES MADE WITH FOOD COUPONS, FOOD STAMPS, OR OTHER TYPE OF CER-  
26 TIFICATE ISSUED UNDER 7 U.S.C. 2011 - 2025 (FOOD STAMP ACT). THIS  
27 SUBSECTION APPLIED TO HOME RULE AND GENERAL LAW MUNICIPALITIES].

28 \* Sec. 38. AS 29.45.700 is amended by adding a new subsection to read:

29 (d) A city that levies and collects sales and use taxes under

1 (a) of this section may not levy and collect a sales tax on a purchase  
2 made with food coupons, food stamps, or other type of certificate  
3 issued under 7 U.S.C. 2011 - 2025 (Food Stamp Act). This subsection  
4 applies to home rule and general law municipalities.

5 \* Sec. 39. Sections 35, 37, and 38 of this Act are retroactive to  
6 October 1, 1986.

7 \* Sec. 40. AS 33.30 is amended by adding a new section to read:

8 Sec. 33.30.026. CONTRACTS. Contracting for services under this  
9 chapter is governed by AS 36.30 (State Procurement Code).

10 \* Sec. 41. AS 33.30.031(c) is amended to read:

11 (c) Notwithstanding AS 36.30.300 [AS 37.05.230(1)(B)], an agree-  
12 ment with a private agency to provide necessary facilities under (a)  
13 of this section must be based on competitive bids.

14 \* Sec. 42. AS 35.15.060 is repealed.

15 \* Sec. 43. AS 35.27.030(1) and AS 35.30.040(1) are repealed.

16 \* Sec. 44. AS 36.25.020(c) is amended to read:

17 (c) A suit brought under this section shall be brought in the  
18 name of the state or the political subdivision of the state for the  
19 use of the person suing in the district or superior court. A suit  
20 under this section is subject to AS 08.18.151. A [NO] suit may not be  
21 started after the expiration of one year after the date of final  
22 settlement of the contract. The state or political subdivision of the  
23 state is not liable for costs or expenses of the suit.

24 \* Sec. 45. AS 36.30.730 is amended by adding a new subsection to read:

25 (f) The commissioner shall separately account for fees collected  
26 under (c) and (d) of this section and deposited in the general fund.  
27 The annual estimated balance in the account may be used by the legis-  
28 lature to make appropriations to the department to carry out the  
29 purposes of (c) and (d) of this section.

1 \* Sec. 46. AS 36.30.900 is amended to read:

2       Sec. 36.30.900. PREFERENCE FOR ALASKA PRODUCTS. This chapter  
3 does not modify, amend, or alter AS 36.15.010 and 36.15.020 regarding  
4 preference for Alaska forest products, or AS 36.15.050 and 36.15.060  
5 regarding preference for Alaska agricultural and fisheries products  
6 [AS 36.20.010 REGARDING PREFERENCE TO PRODUCERS OR DEALERS IN ALASKA]  
7 except as provided in AS 36.30.170(b) and (c).

8 \* Sec. 47. AS 36.90.050(b) is amended to read:

9       (b) The competitive bid provisions of AS 36.30 [AS 37.05.230 AND  
10 THE COMPETITIVE BIDDING PROVISIONS OF ANY OTHER LAW] do not apply to a  
11 contract for the maintenance or repair of a marine vessel owned by the  
12 state if the contract is awarded to a facility in the state.

13 \* Sec. 48. AS 37.05.157, 37.05.158, and AS 37.07.062(c)(4) are re-  
14 pealed.

15 \* Sec. 49. AS 37.10.088(b) is amended to read:

16       (b) The [UNTIL JUNE 30, 1980, THE TOTAL OF ADVANCES IN ANY  
17 FISCAL YEAR MAY NOT EXCEED 20 PER CENT OF THE TOTAL OF GRANTS AND  
18 CONTRACTS FROM FEDERAL AND PRIVATE SOURCES APPROPRIATED TO THE UNIVER-  
19 SITY FOR THAT FISCAL YEAR. AFTER JUNE 30, 1980, THE] total of ad-  
20 vances in a [ANY] fiscal year may not exceed 10 percent of the total  
21 of grants and contracts from federal and private sources appropriated  
22 to the university for that fiscal year. The amounts advanced in a  
23 [ANY] fiscal year shall be repaid in full to the department within 120  
24 days following the close of that fiscal year. If the repayment is not  
25 made on a timely basis, the department may withhold amounts due from  
26 state fund appropriations for the university.

27 \* Sec. 50. AS 37.20.040 is repealed.

28 \* Sec. 51. AS 37.25.030 is repealed.

29 \* Sec. 52. AS 38.09.100 is amended to read:

1           Sec. 38.09.100. LESSEES OF REMOTE PARCELS. (a) A lessee of a  
2 remote parcel under former AS 38.05.077 may elect to obtain title to  
3 the remote parcel under AS 38.09.050. If a lessee of a remote parcel  
4 elects to obtain title under AS 38.09.050, July 28, 1983, shall be  
5 considered the date of the issuance of the homestead entry permit.

6           (b) Except as provided in (a) of this section, nothing in  
7 this chapter affects the rights and obligations of lessees of remote  
8 parcels under former AS 38.05.077.

9 \* Sec. 53. AS 39.05.100(a) is amended to read:

10           (a) A person appointed to a board or commission of the state  
11 government [,] shall be and have been before the last general elec-  
12 tion, (1) a registered voter in the state, if the appointment is made  
13 at large or (2) a registered voter from the judicial district, if the  
14 appointment is made from a specific judicial district. The student  
15 member of the Board of Regents of the University of Alaska appointed  
16 under AS 14.40.150(b) and the student member of the Alaska Commission  
17 on Postsecondary Education appointed under AS 14.42.015(e) are exempt  
18 from the requirement of this subsection if the member was not old  
19 enough to be a registered voter in the last general election.

20 \* Sec. 54. AS 39.25.110(11)(C) and AS 39.50.200(b)(43) are repealed.

21 \* Sec. 55. AS 43.05.210 is repealed.

22 \* Sec. 56. AS 43.70.020(b) is amended to read:

23           (b) Application for a renewal of a license and payment of the  
24 annual [INITIAL] fee under AS 43.70.030 shall be made before Febru-  
25 ary 1 of each year.

26 \* Sec. 57. AS 43.70.030(d), 43.70.040, and 43.70.110(2) and (3) are  
27 repealed.

28 \* Sec. 58. AS 43.70.090 is amended to read:

29           Sec. 43.70.090. REGULATIONS. The department may adopt

1 regulations necessary to determine and collect the fees imposed by  
2 this chapter [AND MAY ADOPT REGULATIONS DEFINING THE NECESSARY METHODS  
3 OF COMBINATION AND APPORTIONMENT FOR MULTISTATE FINANCIAL INSTITUTIONS  
4 REQUIRED TO FILE UNDER THIS CHAPTER].

5 \* Sec. 59. AS 44.62.175(a)(4) is amended to read:

6 (4) notices of state agency requests for proposals issued  
7 under AS 18.55.255, 18.55.320; AS 36.30.210; AS 37.05.316; AS 38.05.-  
8 120; and AS 43.40.010;

9 \* Sec. 60. AS 44.62.330(a)(46) is repealed.

10 \* Sec. 61. AS 45.55.040(b) is amended to read:

11 (b) The administrator may by regulation or order require an  
12 applicant for initial registration to publish an announcement of the  
13 application in one or more specified newspapers published in this  
14 state. If no denial order is in effect and no proceeding is pending  
15 under AS 45.55.060, registration becomes effective at noon on the 30th  
16 day after an application is filed [, EXCEPT THAT REGISTRATION BECOMES  
17 EFFECTIVE UPON FILING OF THE APPLICATION BY ANY OF THE PERSONS SUBJECT  
18 TO THIS CHAPTER WHO WERE DOING BUSINESS IN THIS STATE ON MAY 9, 1959].  
19 The administrator may by regulation or order specify an earlier effec-  
20 tive date, and the administrator may by order defer the effective date  
21 until noon of the 30th day after the filing of an amendment.

22 \* Sec. 62. AS 45.55.090(b) is amended to read:

23 (b) A registration statement under this section shall contain  
24 the following information and be accompanied by the following docu-  
25 ments in addition to the information specified in AS 45.55.110(c) and  
26 the consent to service of process required by AS 45.55.260(g):

27 (1) one copy [THREE COPIES] of the latest form of prospec-  
28 tus filed under the Securities Act of 1933;

29 (2) if the administrator requires, copies of the articles

1 of incorporation and bylaws (or their substantial equivalent) cur-  
2 rently in effect, a copy of an agreement with or among underwriters, a  
3 copy of an indenture or other instrument governing the issuance of the  
4 security to be registered, and a specimen or copy of the security;

5 (3) if the administrator requests, any other information,  
6 or copies of any other documents, filed under the Securities Act of  
7 1933; and

8 (4) an undertaking to forward all future amendments to the  
9 federal prospectus, other than an amendment which merely delays the  
10 effective date of the registration statement, promptly and in any  
11 event not later than the first business day after the day they are  
12 forwarded to or filed with the Securities and Exchange Commission,  
13 whichever first occurs.

14 \* Sec. 63. AS 45.88.030(d) is amended to read:

15 (d) All principal and interest payments on loans made under this  
16 chapter shall be paid into the alternative [TECHNOLOGY AND] energy  
17 revolving loan fund.

18 \* Sec. 64. AS 45.88.030(e) is amended to read:

19 (e) [THE RATE OF INTEREST FOR A LOAN UNDER THIS SECTION, OTHER  
20 THAN A LOAN FOR AN ALTERNATIVE ENERGY SYSTEM, MAY NOT EXCEED NINE AND  
21 ONE-HALF PERCENT A YEAR ON THE UNPAID BALANCE OF THE LOAN.] The rate  
22 of interest for a loan for an alternative energy system is five per-  
23 cent for the first \$15,000 of the loan and 15 percent for the amount  
24 of the loan that exceeds \$15,000.

25 \* Sec. 65. AS 46.15.200 is amended to read:

26 Sec. 46.15.200. TERM OF OFFICE. The term of office for members  
27 of the board is four years. [THE FIRST MEMBERS APPOINTED SERVE AS  
28 FOLLOWS: TWO MEMBERS SERVE FOR ONE YEAR, THREE FOR TWO YEARS AND TWO  
29 FOR THREE YEARS.] If a vacancy occurs, the governor shall fill it by

1 appointment for the unexpired term. The appointment shall be submit-  
2 ted to the legislature for confirmation at the next regular or special  
3 session.

4 \* Sec. 66. Section 65, ch. 106, SLA 1986 is amended to read:

5 Sec. 65. REPORT. By December 1, 1988, the commissioner of  
6 administration and the commissioner of transportation and public  
7 facilities shall report to the legislature concerning procurements by  
8 state agencies during fiscal year 1987. The report must include

9 (1) a summary of the information required under AS 36.30.-  
10 510 [THE RECORDS PREPARED UNDER AS 36.30.510(4)];

11 (2) recommendations for changes in AS 36.30 or other laws  
12 based on implementation of AS 36.30 in those 12 months; and

13 (3) a description of any matters that involved litigation  
14 concerning AS 36.30 during those 12 months.

15 \* Sec. 67. This Act takes effect July 1, 1987.  
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STATE OF ALASKA  
THE LEGISLATURE  
LEGISLATIVE COUNCIL

5B107  
POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-405-4843

January 30, 1987

Senator Richard Eliason  
Chairman, Rules Committee  
Alaska State Senate  
Juneau, Alaska 99811

Dear Senator Eliason:

Enclosed is the 1987 statute revisor's bill, which was submitted by David Dierdorff, revisor of statutes, to the Legislative Council for introduction through the Rules Committee.

Although I am sure the bill will be thoroughly considered by the committees to which it is assigned, I do want to point out some sections of the bill which should be closely examined for their interpretations of legislative intent or their impact on existing laws and procedures.

In particular, I would like to direct your attention to Section 21, which would enact into law what the Department of Law has concluded to be "implied authority" under current law; Sections 23-25, 27, 29, 31-36, 41, 52, 53, and 59, which attempt to interpret legislative intent; Section 38, which would codify a supreme court ruling that may or may not reflect the legislature's intent; and Section 48, which repeals an old dedication of federal mineral leasing revenues.

I bring this to your attention since many of these issues require policy decisions.

Sincerely,



Bettye Fahrenkamp  
Alaska State Senate

jfh  
enclosure

STATE OF ALASKA  
THE LEGISLATURE  
LEGISLATIVE AFFAIRS AGENCY

SB107


POUCH Y STATE CAPITOL  
JUNEAU ALASKA 99811  
907 465 3800

MEMORANDUM

January 19, 1987

SUBJECT: 1987 Revisor's Bill  
(Work Order No. 5-0070)

TO: Senator Bettye Fahrenkamp  
Chairman, Legislative Council

FROM: David R. Dierdorff   
Revisor of Statutes

Enclosed is a draft of the 1987 revisor's bill and a sectional analysis of the draft. I would appreciate it if you would place the draft before council for approval for introduction.

If you or your staff have any questions, please feel free to call upon me.

Thank you in advance for your cooperation.

DRD:mkr  
m8/020

Enclosure

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

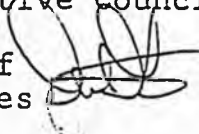
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 19, 1987

SUBJECT: 1987 Revisor's Bill  
(Work Order No. 5-0070)

TO: Senator Bettye Fahrenkamp  
Chairman, Legislative Council

FROM: David R. Dierdorff   
Revisor of Statutes

This memorandum discusses the draft revisor's bill prepared for the consideration of the Legislative Council for possible introduction through the Rules Committee. I would be happy to meet with you or your staff prior to the first meeting of the council in the event you have any questions about the draft.

The draft 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.

Sectional Analysis

Section 1. Section 1 of the bill corrects a statutory reference and makes other form and style changes in AS 06.30.720. AS 06.30.660 was repealed by sec. 54, ch. 169, SLA 1978. The same 1978 Act, in sec. 42, enacted AS 06.01.030, with substantially the same provisions as former AS 06.30.660. Requested by the Division of Banking and Securities.

Sec. 2. All of the former paragraphs of the two subsections proposed for repeal (relating to sunset review of certain agencies) have been repealed, leaving only irrelevant introductory text in the subsections.

Sec. 3. See analysis of sec. 5.

Sec. 4. AS 08.04.250 was repealed in 1976, making the reference obsolete.

Sec. 5. This section and sec. 3 conform the usages to current style for defined terms. The term "live permit" is used in several sections of AS 08.04, but the only definition has been the archaic reference in AS 08.04.500(a), proposed for amendment in sec. 3. The definition proposed for enactment in sec. 5 replaces the archaic reference.

Sec. 6. The deleted material is obsolete.

Sec. 7. The federal law which defined "motorboats" for the purpose of AS 08.62.180 has been repealed. The proposed amendment substitutes the substance of the former law.

Secs. 8 - 11. AS 08.64.200(1) was repealed in 1983, making the references obsolete.

Sec. 12. The definition in the section proposed for repeal duplicates a definition of the same term (commission) in AS 08.88.431.

Secs. 13 - 15. The section proposed for repeal in sec. 15, AS 09.17.090, was enacted in the "tort reform" bill last session (ch. 139, SLA 1986). It is identical to the existing provisions of AS 09.16.040, which was enacted in 1970 and is part of the Uniform Contribution among Tortfeasors Act. Because the enactment of AS 09.17.090 did not add anything to the substantive law of Alaska and because the state's courts have had several occasions to interpret and enforce the existing statute, it is recommended that the legislature repeal the new provision to avoid confusion in the future. (An earlier version of the tort reform bill would have repealed AS 09.16, making the enactment of AS 09.17.090 necessary.) Sections 13 and 14 make changes in AS 09.17.080 required if AS 09.17.090 is repealed.

Secs. 16 and 17. Sections 16 and 17 make changes to AS 09.38.115 to reflect changes made by the federal

government in the timing of issuance of the Anchorage CPI and to clarify the mandate of AS 09.38.115(b). The change was requested by the Department of Labor. The change of date in AS 09.38.115(b) from July 1 to October 1 was requested by the Court System to ensure adequate lead time in the preparation of related forms and to allow the efficient utilization of existing form inventories.

Sec. 18. The subsection proposed for repeal is obsolete. It was operative only during 1976.

Sec. 19. AS 28.10.255 was repealed in 1978. The current provisions relating to the motor vehicle registration tax are found in AS 28.10.431, and this section proposes that the reference to those laws in AS 14.17.140(b) be updated.

Sec. 20. The material proposed for deletion is obsolete.

Sec. 21. An April 22, 1986, memo from Assistant Attorney General Gary Amendola to Assistant Attorney General Art Peterson discussed the authority of the Alaska Commission on Postsecondary Education to adopt regulations related to the Guaranteed Student Loan Program. The commission desired to adopt the regulations to implement its role as the state guaranty agency for the federal loans. The memo concluded that the commission has the implied authority to adopt the regulations, but urged that the authority be made express through an amendment to AS 14.42.030(b)(3). Section 21 of this draft would accomplish that.

Sec. 22. Last year AS 15.13.070(f) was repealed. The related provision in AS 15.13.120(a)(2) providing that "making a campaign contribution or expenditure which exceeds the limitations of AS 15.13.070(f)" is a crime, was not repealed. This section of the draft bill corrects that oversight.

Secs. 23 - 25. The amendments proposed by secs. 23 - 25 of the draft would correct an apparent oversight in ch. 132, SLA 1984. When enacting AS 16.05.925, the legislature intended to make uniform the penalty for violations of regulations adopted under the fish and game laws. However, the new provision failed to take into account the existence of certain specific penalties in AS 16.05.430, 16.05.831, and 16.05.860, with the result that the penalty for violating a regulation adopted under one of those sections would carry a stiffer penalty than a violation of the section itself.

That result could not be legally enforced, of course, but the oversight leads to confusion and uncertainty. The proposed amendments assume that the legislature did not intend to impliedly repeal the referenced penalty provisions, but, rather, that the lesser penalties for certain sport hunting and fishing violations should remain. The problem was brought to our attention by Jim Parker, director of magistrate services for the Court System, and Karla Forsythe, staff counsel for the system.

Sec. 26. The subsection proposed for repeal deals solely with a report that was to have been made to the legislature in 1975 and is now obsolete.

Sec. 27. The Alaska Guaranty Association Act (AS 21.80), enacted in 1970, was based on a Model Act promulgated by the National Association of Insurance Commissioners. Because the title of the administrative official regulating insurance in almost every state is "commissioner," the Model Act used that term and Alaska enacted it without change. In Alaska, the corresponding official is the director of the division of insurance, reporting to the commissioner of commerce and economic development (see AS 21.06). Although the use of the term "commissioner" in AS 21.80 presents no substantive legal problems, because the commissioner of commerce and economic development has the authority to delegate all responsibility to the director, it does cause some confusion. The division of insurance requested that the change of name be proposed in the revisor's bill. Section 27 of the draft would accomplish the desired result.

Sec. 28. The proposed amendment would conform the provisions of AS 22.15.240(c) to those of Appellate Rule 602(a)(1) covering the same subject. Requested by the Court System.

Secs. 29 and 31 - 33. Chapter 38, SLA 1986, which was intended solely to exempt purchases made with food stamps from municipal sales and use taxes, amended AS 29.45.700(a) and made a related amendment to AS 29.10.200. Unfortunately, a drafting error in ch. 38 led to an unintended result. Instead of the narrow result contemplated by the legislature, and reflected in the title of CSHB 697 (HESS), the amended law could be construed to require a home rule city in a borough that levies and collects an areawide sales tax to levy and collect a sales or use tax only in a manner identical to that of the borough

in which the city is located. The amendments proposed in secs. 29, 31 and 32 of this draft would correct the error. Section 33 of the draft would make the amendments retroactive to October 1, 1986, the effective date of ch. 38, SLA 1986. The amendments were requested by the Department of Community and Regional Affairs and the City of Ketchikan.

Sec. 30. The referenced federal law was repealed by P.L. 91-606, making the reference obsolete.

Sec. 34. As a part of the new procurement code, AS 33.30.050, dealing with medical services for prisoners, and AS 33.30.062, dealing with privately operated correctional facilities, were amended to incorporate express provisions subjecting the covered activities to AS 36.30. In ch. 88, SLA 1986, the corrections code was substantially rewritten and AS 33.30.050 and 33.30.062 were repealed. The proposed addition of a section to AS 33.30 making contracting activities under AS 33.30 subject to AS 36.30 is probably not required as a matter of law (AS 36.30 governs all state contracting activities unless expressly excluded), but the section is proposed to carry out the legislature's intent in enacting the 1986 amendments to the two repealed sections.

Sec. 35. The subsection proposed for repeal is unnecessary if new AS 33.30.026 proposed for enactment in the preceding section of this bill is enacted. In any event, the subsection needs to be amended to delete a reference to a provision repealed by the new procurement code.

Sec. 36. The provisions proposed for repeal deal with the use of local forest products in projects financed by public funds. The enactment of AS 36.30.322 - 36.30.338 as a part of the new procurement code supersedes these provisions. The provisions of AS 36.15.010 are incorporated in AS 36.30.322 and those of AS 36.15.020 are incorporated in AS 36.30.326. It should be noted that AS 36.30.322 - 36.30.338 derived from CSHB 679 (SA), 14th Legislature, 2nd Session, which would have amended AS 36.15.010 and added new provisions to AS 36.15, but which was merged into HCS CSSB 341 (Fin) (the procurement code bill). The failure to include a repealer of AS 36.15.010 and 36.15.020 at that time is believed to have been an oversight.

Sec. 37. The substance of the sections proposed for repeal by this section is reenacted as a part of AS 36.30 (the procurement code) in section 39 of this bill.

Sec. 38. In 1985, jurisdiction in actions involving contractors' bonds under AS 08.18 was transferred from the superior court to the district court (sec. 1, ch. 17, SLA 1985). The change proposed in the first sentence of AS 36.25.020 would give the district and superior courts concurrent jurisdiction over suits involving bonds posted under Alaska's "little Miller Act" by contractors on public projects. Thus, the amount sought by the plaintiff would determine whether the suit would be filed in district or superior court. The proposed amendment would also add language codifying the rule of State v. Tyonek Timber, Inc., 580 P.2d 1148 (1984), in which the supreme court held that a contractor or subcontractor suing under AS 36.25 is subject to the registration requirements of AS 08.18 and, consequently, the penalty provisions of AS 08.18.151. The amendments were suggested by the Court System.

Sec. 39. Enacts the substance of AS 36.15.050 and 36.15.060, repealed by section 37 of this bill. The purpose for this is to consolidate related provisions that were separately enacted in 1986.

Sec. 40. Adds a provision to the procurement code to conform to the program receipts Act (ch. 138, SLA 1986). A similar former provision had been amended by ch. 138, SLA 1986, but was repealed by ch. 106, SLA 1986.

Sec. 41. When CSHB 679(SA) was merged into HCS SSSB 341(Fin), this provision (which would have been enacted as a part of AS 37.05) should have been deleted from the text of the bill. In any event, it would need to be substantially amended to reflect the repeal of other provisions upon enactment of the procurement code. See also the discussion of sec. 36.

Sec. 42. The amendment conforms the subsection to the new procurement code, which repealed AS 37.05.230 and contains all of the relevant competitive bidding provisions of state law.

Sec. 43. The two sections in AS 37.05 that are proposed for repeal establish the reserve for capital outlay account and the reserve for energy facilities development account in the

general fund. The paragraph in AS 37.07.062 proposed for repeal relates to the reserve for capital outlay account and needs to be repealed if the account is repealed. The attorney general has determined that both accounts violate the prohibition against dedicated funds contained in art. IX, sec. 7 of the state constitution. On the advice of the attorney general, no deposits have ever been made to the accounts, and neither has an outstanding balance.

Sec. 44. The material proposed for deletion is time-dated and now obsolete.

Sec. 45. The statute proposed for repeal, AS 37.20.040, is obsolete. The state's obligation to pay into the Alaska Native Fund under sec. 9 of ANCSA was extinguished when the state paid a total of \$500 million to the fund. The last payment was made under an appropriation in ch. 120, SLA 1980. The Department of Revenue requested the repeal.

Sec. 46. AS 38.05.077 was repealed when AS 38.09 was enacted. The two references to the repealed section should have been drafted to read as proposed by this amendment.

Sec. 47. Without the amendment proposed by this section, it is arguable that a student member of the Board of Regents or the Commission on Postsecondary Education is not eligible to serve unless the student was old enough to have voted in the last general election. This is inconsistent with the laws creating the student positions, which have no age requirements for the student member appointees. The amendment was requested by the Department of Law.

Sec. 48. The repeal of AS 43.05.210 would eliminate an old dedication of certain federal mineral leasing revenues. The dedication was required by the federal law, which has since been amended to eliminate the required dedication. In any event, the state has never identified this dedicated revenue stream as a fund source in the budget process. The Department of Revenue requested the repeal.

Sec. 49. The amendment clarifies the language of AS 43.70.020(b) to reflect changes made in the business license tax in 1978 and 1984.

Sec. 50. The provisions proposed for repeal were rendered obsolete by the repeal of AS 43.70.030(b) in 1984 and the change from a "gross receipts" tax to an annual license in

1978. All businesses now pay a flat \$25 per year business license fee.

Sec. 51. The material proposed for deletion was rendered obsolete by the repeal of AS 43.70.030(b) in 1984.

Sec. 52. This corrects an oversight in ch. 106, SLA 1986 (the procurement code) by listing RFP's issued under AS 36.30.210 among those actions that must be published in the Alaska Administrative Journal. Publication of the RFP's is required by AS 36.30.210(c) and 36.30.130.

Sec. 53. The Department of Commerce and Economic Development currently manages 11 different state loan programs, using identical procedures for all of the programs. The procedures include an administrative appeal process. See 3 AAC 77 - 87. When the Fisheries Enhancement Loan Program was established in 1976, the hearing provisions of the Administrative Procedure Act were made applicable to that loan program. None of the other 10 programs were included under the APA, and, in fact, DCED was not aware that the fisheries loan program was included until an assistant attorney general recently discovered the inclusion. Both DCED and the Department of Law believe that the 1976 inclusion was the result of an error rather than an intentional legislative decision. The repeal of AS 44.62.330(a)(46) as proposed in sec. 53 of the bill would remove this anomaly.

Sec. 54. The material proposed for deletion is obsolete.

Sec. 55. The amendment proposed by this section would conform the requirements of AS 45.55.090(b)(1) to those of AS 45.55.100(b)(12) (dealing with a closely related matter) and eliminate an unnecessary requirement. The amendment was requested by the division of banking, securities and corporations and the Department of Law.

Sec. 56. The deleted material is obsolete.

Sec. 57. The deleted material is obsolete.

Sec. 58. The material proposed for deletion is obsolete.

Sec. 59. The version of the procurement code that became law did not contain the paragraph (4) referenced in sec. 65(1) of ch. 106. The proposed amendment substitutes the substance of proposed AS 36.30.510(4), which was included in

Senator Fahrenkamp  
Page 9  
January 19, 1987

earlier versions of the procurement code bill, for the obsolete reference.

Sec. 60. The bill is given a specific effective date, rather than the usual immediate effective date, in order to have it take effect on the same date that the procurement code takes effect.

DRD:mkr  
m7/101

cc: Art Peterson  
Department of Law

Karla Forsythe  
Court System

STATE OF ALASKA  
THE LEGISLATURE

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

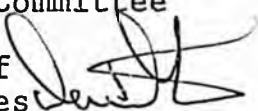
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 5, 1987

SUBJECT: Proposed amendment to Revisor's Bill  
(Senate Bill 107)

TO: Senator Jay Kerttula, Chair  
Senate Judiciary Committee

FROM: David R. Dierdorff   
Revisor of Statutes

Attached is a proposed amendment to this year's revisor's bill, SB 107. The amendment addresses problems brought to our attention after the introduction draft was prepared for Legislative Council.

The new material consists of:

Sec. 18. This section updates a part of the definition of "gambling enterprise" to include a reference to municipalities, which were added in 1982 to the entities that may be licensed under AS 05.15 to conduct certain gambling activities. The internal references are also updated to current style for such references.

Sec. 24. This section deletes a sentence that was rendered obsolete by the repeal of AS 16.05.340(e) in 1986. The repealed subsection had established additional fees for big game taken on a guided hunt.

Sec. 28. The provisions proposed for repeal are definitions that became redundant when the definitions in AS 16.05.940 were made applicable to AS 16.10 - AS 16.40 in 1984.

Sec. 29. The material proposed for deletion is obsolete, relating only to the initial appointments to the entry commission.

Sec. 30. The section proposed for repeal related to the personal income tax repealed in 1980. It provided that the purchase of an entry permit is a deductible business expense

Senator Kerttula  
February 5, 1987  
Page 2

under that tax. Should the legislature reinstate a personal income tax, the treatment of deductible expenses should be enacted within the tax laws rather than within the laws relating to state programs.

Sec. 40 (sec. 35 of the printed bill). The attached amendment to sec. 35 of the printed bill corrects an error on my part in drafting the bill as introduced. Instead of repealing AS 33.30.031(c), the subsection would be amended to reflect the repeal of AS 37.05.230(1)(B) and the adoption of corresponding provisions (relating to sole source procurements) in AS 36.30. This would continue the requirement that contracts for confinement and care of prisoners must be competitively bid.

Sec. 41. The section proposed for repeal is obsolete, relating only to construction contracts entered into before April 1, 1957. It exempted those contracts from procedures enacted in 1957.

Sec. 42. The two provisions proposed for repeal are definitions of "department" that are redundant to a definition in AS 35.25.020 that applies to all of AS 35.

Secs. 53 and 56. The provisions proposed for repeal were made obsolete by the repeal of the Alaska Energy Center last year.

If I may be of further assistance, please advise.

DRD:mkr  
m8/097

Enclosure

A M E N D M E N T

Offered

By

To: SB 107

Page 6, following line 18, insert a new bill section to read:

"\* Sec. 18. AS 11.66.280(4) is amended to read:

(4) "gambling enterprise" means a gambling business that  
[WHICH]

(A) includes five or more persons who conduct, finance, manage, supervise, direct, or own all or part of the business;

(B) has been or remains in substantially continuous operation for a period in excess of 30 days or has a gross income of \$2,000 or more in any single day; and

(C) is not a municipality or a qualified organization under AS 05.15.210 [AS 05.15.210(15)], except that, for purposes of this paragraph, no application for a license under AS 05.15 [AS 05.15.210(15)] is required to be considered a qualified organization;"

Renumber succeeding bill sections accordingly.

Page 8, following line 2, insert a new bill section to read:

"\* Sec. 24. AS 16.05.390(b) is amended to read:

(b) Each agent authorized to sell licenses or tags under AS

16.05.380 shall, as directed by the commissioner of revenue, transmit the proceeds from the sales of licenses and tags, except the amount authorized to be retained, together with a report of the sales, to the commissioner for deposit in the fish and game fund or the general fund. [FEES IMPOSED UNDER AS 16.05.340(e) SHALL BE COLLECTED AND TRANSMITTED IN THE SAME MANNER.]"

Renumber succeeding bill sections accordingly.

Page 8, following line 27, insert new bill sections to read:

"\* Sec. 28. AS 16.10.475 and AS 16.30.030(3) are repealed.

\* Sec. 29. AS 16.43.030(a) is amended to read:

(a) The members of the commission shall be appointed for terms of four years. [INITIAL APPOINTMENTS SHALL BE AS FOLLOWS: ONE MEMBER FOR TWO YEARS, ONE MEMBER FOR THREE YEARS, AND ONE MEMBER FOR FOUR YEARS.]

\* Sec. 30. AS 16.43.182 is repealed."

Renumber succeeding bill sections accordingly.

Page 10, line 5:

Delete "29, 31, and 32" and insert "34, 36, and 37"

Page 10, line 10, delete "repealed" and insert:

"amended to read:

(c) Notwithstanding AS 36.30.300 [AS 37.05.230(1)(B)], an

agreement with a private agency to provide necessary facilities under (a) of this section must be based on competitive bids.

\* Sec. 41. AS 35.15.060 is repealed.

\* Sec. 42. AS 35.27.030(1) and AS 35.30.040(1) are repealed."

Renumber succeeding bill sections accordingly.

Page 12, following line 3, insert a new bill section to read:

"\* Sec. 53. AS 37.25.030 is repealed."

Renumber succeeding bill sections accordingly.

Page 12, following line 23, insert a new bill section to read:

"\* Sec. 56. AS 39.25.110(11)(C) and AS 39.50.200(b)(43) are repealed."

Renumber remaining bill sections accordingly.

# MEMORANDUM

# State of Alaska

TO: David Dierdorff  
Revisor of Statutes  
Legislative Affairs Agency

DATE: June 25, 1986

FILE NO.: 993-84-070 -- Part II

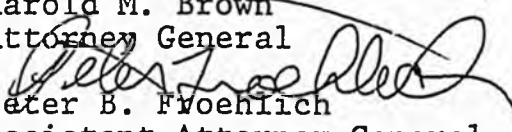
THRU:

TELEPHONE NO.: 465-3600

SUBJECT: Suggestion for 1987  
revisor's bill

FROM: Harold M. Brown  
Attorney General

By:

  
Peter B. Froehlich  
Assistant Attorney General  
and Assistant Regulations Attorney

Now that the smoke has cleared after the end of the 14th Legislature, here is a suggestion for your next revisor's bill. As explained in the attached memorandum from Assistant Attorney General Gary Amendola to Art Peterson, we suggest that AS 14.42.030(b)(3) be amended to clarify the authority of the Commission on Postsecondary Education to adopt regulations concerning the Alaska portion of the Federal Guaranteed Student Loan Program.

Incidentally, you have our thanks and congratulations for your good work and persistence on the 1985 revisor's bill, ch. 37, SLA 1986.

PBF:md

Attachment

cc w/o attach: Kerry Romesburg, Executive Director  
Postsecondary Education Commission

Gary Amendola  
Assistant Attorney General  
Juneau

# MEMORANDUM

# State of Alaska

TO: Art Peterson  
Legislation Attorney  
Department of Law

DATE: April 22, 1986

FILE NO: 993-84-0070

TELEPHONE NO: 465-3603

FROM: Gary I. Amendola  
Assistant Attorney General  
Transportation Section-Juneau

SUBJECT: Guaranteed Student  
Loan Regulations

You have asked for a memo regarding the authority of the Alaska Commission on Postsecondary Education (commission) to adopt the Guaranteed Student Loan Program regulations proposed for 20 AAC 15.300 - 20 AAC 15.490.

Admittedly the authority is not expressed clearly in AS 14.43.010 et seq., but I am convinced, especially after speaking with Kerry Romesburg, the Executive Director of the commission, that the legislature intended that the commission administer the Alaska portion of the Guaranteed Student Loan Program in Title IV, Part B of the Higher Education Act of 1965 (Public Law 89-329), as amended. Otherwise, the references to "federally insured" in AS 14.43.120(b) and (1) and AS 14.43.160(3) would be meaningless.

AS 14.43.120(b) and (1) state:

(b) The loans may only be used to attend a career education program or a college or university approved by the commission, and, if the loans are federally insured, by the United States Commissioner of Education.

(1) The state will pay the interest on that portion of a loan that is not federally insured

.....

On first impression one would think that the references in AS 14.43.120 (b) and (1) to "loans" refers only to scholarship loans offered under the Alaska State Student Loan program, except that such an interpretation would make the references to "federally insured" meaningless, since Alaska State Student Loans

RECEIVED  
Department of Law

APR 23 1986

AM  
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Art Peterson  
Legislation Attorney  
993-84-0070

April 22, 1986  
Page 2

are not federally insured. \*/ The references are clarified under AS 14.43.160 (3), which defines "federally insured" as "a loan covered by the provisions of the Guaranteed Student Loan Program of Title IV, Part B, of the Higher Education Act of 1965 (P.L. 89-329), as amended." AS 14.43.160(3) strongly suggests that the loans referred to in AS 14.43.120 include those which are available under P.L. 89-329, as amended.

It is my opinion that the commission has the authority to adopt regulations implementing its role as the state guaranty agency for loans obtained under P.L. 89-329, as amended. On the other hand, it is advisable that a revisor's bill be drafted to clearly express this authority by amending AS 14.42.030(b)(3) to include the Guaranteed Student Loan Program of Title IV, Part B, of the Higher Education Act of 1965 (P.L. 89-329), as amended.

GIA:prm

cc: Kerry D. Romesburg

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\*/ Only during FY 81 were Alaska State Student Loans even partially federally insured.

STATE OF ALASKA  
THE LEGISLATURE  
LEGISLATIVE AFFAIRS AGENCY

COPY

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

MEMORANDUM

September 16, 1986

SUBJECT: AS 09.38.115(b) and (d)  
TO: Peter B. Froehlich  
Assistant Attorney General  
Department of Law  
FROM: David R. Dierdorff  
Revisor of Statutes

I will include the proposed amendments to AS 09.38.115(b) and (d) in the draft revisor's bill I prepare for 1987 introduction.

I will circulate the draft for comment later this year, so you will have another opportunity to add to its contents.

DRD:mkr  
m6/107

# MEMORANDUM

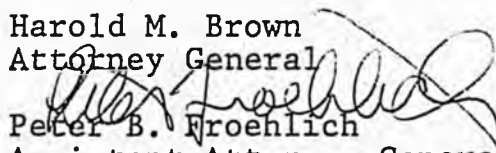
# State of Alaska

TO: David Dierdorff  
Revisor of Statutes  
Legislative Affairs Agency

DATE: September 12, 1986

FILE NO:

TELEPHONE NO: 465-3600

FROM: Harold M. Brown  
Attorney General  
By:   
Peter B. Froehlich  
Assistant Attorney General  
Legislation/Regulations Section

SUBJECT: Revision of AS 09.-  
38.115(b) and (d) on  
adjustment of debtor  
exemption

As we discussed early this week, here is the revision of AS 09.38.115(b) and (d) proposed by the Department of Labor.

\* Section 1. AS 09.38.115(b) is amended to read:

(b) The dollar amounts change on July 1 of each even-numbered year if the percentage of change, calculated to the nearest whole percentage point, between the index for January [NOVEMBER] of that [THE PRECEDING] year and the most recent [REFERENCE BASE] index used to increase the exemption amount is 10 percent or more, but

(1) the portion of the percentage change in the index in excess of a multiple of 10 percent is disregarded and the dollar amounts change only in multiples of 10 percent of the amounts appearing in this chapter on August 26, 1982; and

(2) the dollar amounts do not change if the amounts required by this section are those currently in effect as a result of earlier application of this section.

\* Sec. 2. AS 09.38.115(d) is amended to read:

(d) The Department of Labor shall adopt a regulation announcing

(1) on or before June 30 [APRIL 30] of each year in which dollar amounts are to change, the changes in dollar amounts required by (b) of this section; and

(2) promptly after the changes occur, changes in the index required by (c) of this section, including, if applicable, the numerical equivalent of the reference base index under a revised reference base index and the designation or title of any index superseding the index.

Please let me know whether you can include this proposal in your 1987 revisor's bill.

Thanks for your cooperation.

PBF:md

cc: Judy Knight, Director  
Div. of Administrative Services  
Dept. of Labor

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

**REQUEST:** \_\_\_\_\_

Bill Version : SB 107  
Publish Date : \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act ... corrective amendments ...  
as recommended ... by the revisor of statutes

Agency Affected : A11  
BRU : \_\_\_\_\_

Sponsor : Senate Rules by Request  
Requestor : Legislative Council

Components : \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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<b>REVENUE</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

There is no fiscal impact.



Prepared by: David R. Dierdorff, Revisor of Statutes  
Division : Legal Services

Phone : 465-3850  
Date : 2/13/87

Approved by: Warren W. Endicott, Executive Director  
Agency : Legislative Affairs Agency

Date : 2/13/87

**Distribution (by preparer):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary