

**HB**

**331**

# ALASKA STATE HOUSE OF REPRESENTATIVES

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Room 102

## REPRESENTATIVE JOHN COGHILL

Date: February 28, 2002

To: Terri Lauterbach, Leg Legal

From: Rynniva Moss, Legislative Aide

A handwritten signature in cursive script that reads "Rynniva Moss".

Re: Work Order # LS1288\A

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House State Affairs is requesting a CS for HB 331 with the following amendment:

Page 2, line 5 delete:

, simultaneously with making [WITHIN FIVE CALENDAR DAYS AFTER] the appointment [IS MADE],

Insert:

“immediately”

The committee would also like a legal opinion as to what immediately would mean if the appointment was made on a weekend or on a holiday. They want to make sure “immediately” provides a reasonable standard for the governor that would allow him to make an appointment on a weekend or holiday and have the flexibility to present the name at the next business day.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
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ORIGINAL  
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(c) [Repealed, § 56 ch 21 SLA 1985.]

(d) A vacancy occurring during a term of office is filled in the same manner as the original appointment is made and, except as provided in AS 39.05.080(4), is filled for the balance of the unexpired term. Except as otherwise provided by law, each member holds office at the pleasure of the governor notwithstanding the member's term. (§ 6 ch 64 SLA 1959; am § 2 ch 34 SLA 1960; am § 2 ch 89 SLA 1964; am § 2 ch 90 SLA 1967; am § 10 ch 96 SLA 1967; am § 1 ch 107 SLA 1969; am § 30 ch 46 SLA 1970; am § 2 ch 121 SLA 1971; am § 36 ch 124 SLA 1975; am §§ 34 — 36 ch 206 SLA 1975; am § 72 ch 59 SLA 1982; am §§ 56, 57 ch 21 SLA 1985; am § 67 ch 14 SLA 1987; am § 7 ch 121 SLA 1992; am § 116 ch 4 FSSLA 1992; am § 13 ch 43 SLA 1994; am § 16 ch 61 SLA 1995; am § 13 ch 80 SLA 1996)

Effect of amendments. — The first 1992 amendment, effective September 20, 1992, repealed former paragraphs (a)(5) and (a)(10), relating to the Board of Fisheries and the Board of Game, respectively.

The second 1992 amendment, effective July 1, 1992, deleted former paragraph (a)(4) relating to the Alaska State Housing Authority and renumbered the remaining paragraph.

The 1994 amendment, effective May 16, 1994, repealed paragraph (a)(4), relating to the Governor's Commission on the Involvement of Young People in Government.

The 1995 amendment, effective January 1, 1996, repealed paragraph (a)(3), which read "Employment Security Advisory Council";

The 1996 amendment, effective January 1, 1997, in subsection (d), in the first sentence, inserted ", except as provided in AS 39.05.080(4), is filled" and, in the second sentence, added "Except as otherwise provided by law," at the beginning and made a related stylistic change.

NOTES TO DECISIONS

Applied in Alaska State-Operated Sch. Sys. v. Mueller, 536 P.2d 99 (Alaska 1975). Cited in Walker v. Alaska State Mtg. Ass'n, 416

P.2d 245 (Alaska 1966); Alaska State Hous. Auth. v. Dixon, 496 P.2d 649 (Alaska 1972).

Collateral references. — 63A Am. Jur. 2d, Public Officers and Employees, §§ 36-86. 67 C.J.S., Officers, § 66 et seq.

Legislative power to prescribe qualifications for or conditions of eligibility to constitutional office. 34 ALR2d 155; 90 ALR3d 900.

Sec. 39.05.065. Qualifications of members of the Board of Education and Early Development. (a) Each member of the Board of Education and Early Development shall be a citizen of the United States and have been a resident of Alaska for at least three years.

(b) A member of the Board of Education and Early Development may also be a member of a district school board. (§ 11 ch 96 SLA 1967; am § 19 ch 26 SLA 1980)

Revisor's notes. — In 2000, "Board of Education and Early Development" was substituted for "Board of Education" in accordance with sec. 104, ch. 21, SLA 2000.

Cross references. — For appointment of members of Board of Education, see AS 14.07.085; for a description of districts of the state public school system, see AS 14.12.010.

Sec. 39.05.070. Purpose of AS 39.05.070 — 39.05.200. It is the purpose of AS 39.05.070 — 39.05.200 to provide procedural uniformity in the exercise of appointive powers conferred by the legislature to eliminate, insofar as possible, recess or interim appointments except in the event of death, resignation, inability to act or other removal from office and the exercise, insofar as possible, of appointive powers only when the legislature is in session. (§ 1 ch 64 SLA 1955)

NOTES TO DECISIONS

Section repugnant to tacit confirmation. — The expressed intention of this section is repugnant to

tacit confirmation of appointments. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

Sec. 39.05.080. Pro a law relating to the appointment to a posit

(1) Each governor sh by that governor; each previous governor; only in regular session const the first 30 days afte legislature for confirma a position or membersh (B) persons to be appoi March 1 during that se: 30 days of the conveni session, the governor s present to the legislat deadline may be extend

(2) When appointme (A) the presiding offi standing committee of t committees of the two l meet jointly to consider a separate or a joint re (B) the legislature sh presented, in joint sessio to confirm by a majority

(3) When the legislat notify the governor of its the governor shall fill t presented for confirmati the governor of the legi ment. The governor ma refused for the same po which confirmation was the legislature may not during the interim betw confirm or decline to cor ment was presented is ta adjourns.

(4) Pending confirma appointed shall exercise prescribed by law for the an appointment made du by a person who is not st on the date during the confirmation an appointr number of terms or par commission, the part of immediately before the n merged with the part of t so that the two periods o appointment made durin legislature by the govern session. The duration of a



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 1970; am § 2 ch 121 SLA  
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 am § 7 ch 121 SLA 1992;  
 ch 61 SLA 1995; am § 13

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 Alaska 580 (1956).

**Sec. 39.05.080. Procedure for all appointments.** Except as otherwise provided in a law relating to the positions or memberships on a specific board or commission, appointment to a position or membership shall be made in the following manner:

(1) Each governor shall present to the legislature the names of the persons appointed by that governor; each governor may present the name of a person appointed by a previous governor; only presentment that occurs during the time that the legislature is in regular session constitutes presentment under this section. The governor shall, within the first 30 days after the legislature convenes in regular session, present to the legislature for confirmation the names of the following persons: (A) persons appointed to a position or membership who have not previously been confirmed by the legislature, and (B) persons to be appointed to fill a position or membership the term of which will expire March 1 during that session of the legislature. If an appointment is made after the first 30 days of the convening of the regular session but while the legislature is in regular session, the governor shall, within five calendar days after the appointment is made, present to the legislature for confirmation the name of the person appointed. The deadline may be extended by the legislature by the approval of a concurrent resolution.

(2) When appointments are presented to the legislature for confirmation,

(A) the presiding officer of each house shall assign the name of each appointee to a standing committee of that house for a hearing, report, and recommendation; standing committees of the two houses assigned the same person's name for consideration may meet jointly to consider the qualifications of the person appointed and may issue either a separate or a joint report and recommendation concerning that person; then

(B) the legislature shall, before the end of the session in which the appointments are presented, in joint session assembled, act on the appointments by confirming or declining to confirm by a majority vote of all of the members the appointments presented.

(3) When the legislature declines to confirm an appointment, the legislature shall notify the governor of its action and a vacancy in the position or membership exists which the governor shall fill by making a new appointment. The new appointment shall be presented for confirmation to the legislature within 20 calendar days following receipt by the governor of the legislature's notification of its refusal to confirm the prior appointment. The governor may not appoint again the same person whose confirmation was refused for the same position or membership during the session of the legislature at which confirmation was refused. The person whose name is refused for appointment by the legislature may not thereafter be appointed to the same position or membership during the interim between legislative sessions. Failure of the legislature to act to confirm or decline to confirm an appointment during the session in which the appointment was presented is tantamount to a declination of confirmation on the day the session adjourns.

(4) Pending confirmation or rejection of appointment by the legislature, persons appointed shall exercise the functions, have the powers, and be charged with the duties prescribed by law for the appointive positions or membership. However, the duration of an appointment made during the time period between regular sessions of the legislature by a person who is not still the governor on the first day of the next regular session ends on the date during the next regular session that the sitting governor presents for confirmation an appointment to the office. For the purpose of applying laws that limit the number of terms or parts of terms that may be served by a member of a board or commission, the part of the term of office that is served under an interim appointment immediately before the member is reappointed under this paragraph is considered to be merged with the part of the term of office that is served immediately after reappointment so that the two periods of service constitute only one part of a term. The duration of an appointment made during a regular session of the legislature and not presented to the legislature by the governor during that session ends no later than the last day of that session. The duration of an appointment made during an interim by a governor who is not

in office at the beginning of the next regular session of the legislature ends no later than the last day of that regular session unless the governor who is in office during that session presents the person's name for confirmation. The same governor may not appoint the same person to the same position or membership if the person's appointment ends because of the governor's failure to present the person's name for confirmation. (§ 4 ch 64 SLA 1955; am §§ 1 — 3 ch 1 SLA 1964; am § 1 ch 2 SLA 1967; am § 1 ch 65 SLA 1974; am § 2 ch 82 SLA 1975; am § 14 ch 80 SLA 1996)

**Cross references.** — For transitional provisions related to the amendment made by § 14, ch. 80, SLA 1996, see § 21, ch. 80, SLA 1996 in the Temporary and Special Acts.

**Effect of amendments.** — The 1996 amendment, effective January 1, 1997, rewrote this section.

NOTES TO DECISIONS

**Legislative history of ch. 82, SLA 1975.** — See Bradner v. Hammond, 553 P.2d 1 (Alaska 1976).

**Laws requiring bilateral appointments are mandatory.** Munson v. Territory of Alaska, 16 Alaska 580 (1956).

Paragraph (2) of this section imposes a direct mandate upon the legislature to act upon the nominations of the governor. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**The reason for dual consideration of prospective officeholders** is the benefit of the considered opinion of the legislators, to avoid the possibility of incompetency and injury to the public which may otherwise be perpetrated. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**Affirmative rejection not required.** — Paragraph (2) of this section does not demand affirmative rejection. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**Failure of legislature to act on an appointment is, in effect, rejection.** Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**And not tacit confirmation.** — In acting upon an appointment, the legislature is not exercising a prerogative granted it in its own interest or that of its members; there can be no waiver of that duty so that inaction would be the equivalent of a tacit approval of

an appointment. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**Tacit confirmation negated by paragraph (3).** — The language of paragraph (3) of this section tends to negate any argument of tacit confirmation. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**The question of confirmation is determined at the first vote under paragraph (2) of this section.** Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**The purpose of paragraph (4) of this section is to vest authority in necessary interim appointees.** Munson v. Territory of Alaska, 16 Alaska 580 (1956).

**An appointment made during a recess of the legislature was complete when the appointee assumed the powers of office; the governor could not remove him without complying with the removal statutes, and the legislature could validly confirm him.** Cook v. Botelho, 921 P.2d 1126 (Alaska 1996) (decided under former law).

**This section does not terminate recess appointments when the legislature convenes.** Cook v. Botelho, 921 P.2d 1126 (Alaska 1996) (decided under former law).

**Recess appointments are of the same duration as all other appointments, and subject to legislative confirmation.** Cook v. Botelho, 921 P.2d 1126 (Alaska 1996) (decided under former law).

**Sec. 39.05.090. Time limits in AS 39.05.080.** The time limitations concerning the submission and resubmission of names as prescribed in AS 39.05.080 do not apply to those appointments that by law require recommendations by professional groups. (§ 3 ch 64 SLA 1955)

**Sec. 39.05.100. Qualifications for appointment.** (a) A person appointed to a board or commission of the state government shall be and have been before the last general election, (1) a registered voter in the state, if the appointment is made at large or (2) a registered voter from the judicial district, if the appointment is made from a specific judicial district. The student member of the Board of Regents of the University of Alaska appointed under AS 14.40.150(b), the student member of the Alaska Commission on Postsecondary Education appointed under AS 14.42.015(e), and a member of the Alaska Human Relations Commission appointed under AS 44.19.600, are exempt from the requirement of this subsection if the member was not old enough to be a registered voter in the last general election.

(b) A member of a board or commission of the state government who ceases to reside in the state during the member's term terminates membership on the board or commission. For the purposes of this section, the acceptance of employment outside the state for a six-month period or longer, or physical absence from the state for one year

longer, or registration as in a voting precinct outside (§ 5 ch 64 SLA 1955; am ch 16 SLA 1990; am E.C.

**Effect of amendments.** — effective March 13, 1993, in titled "The Alaska Human Relations Commission on Civil Rights" made a section reference substitution.

**Sec. 39.05.150. Informal employment.** [Repealed, 1996]

**Sec. 39.05.200. Definitive confirmation.** (1) "confirmation" means submitted for appointment to a board, commission, authority, or the governor and confirmed. (2) "position or membership" means the position or membership. (39 SLA 1982)

**Revisor's notes.** — Formerly numbered in 1984.

Ch:

Sec. 39.10.010. [Renumbered]

C

- Section 10. Form, amount, and conditions of bond
- 20. Obligation and effect of bond
- 30. Action on bond
- 40. Recovery on defective bond
- 50. Procedure when bond becomes defective

**Sec. 39.15.010. Form of appointment.** An employee of the state requires a form joint and several, and conditions required by law.

**Cross references.** — For authority of the principal executive officer and subordinate officials, see AS 39.05.010.

Cited in Vest v. Schafer, 71 Alaska 1988.

**Collateral references.** — 12 Alaska Stat. § 63A Am. Jur. 2d, 112.

**Sec. 39.15.020. Obligation of appointment.** Force and obligatory upon

# ALASKA STATE LEGISLATURE

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House of Representatives  
House District 24

## Sponsor Summary HB 331

HB331 eliminates ambiguities in AS 39.05.080 making it clear that presentment of the governor's appointees to boards and commissions may only occur during regular sessions of the legislature. This bill eliminates the potential for confirmation sessions occurring during special sessions and it also reconciles potentially conflicting language regarding the timing of the appointee's presentation.

This issue arose at the end of the 2001 regular session, following the failed confirmation bid of a Game Board appointee. In response to that event, under paragraph (3), the governor made a new appointment and presented the name to the legislature within 20 days following notification of the failed nomination. As to that Game Board vacancy, the governor was correct under paragraph (3) in appointing and presenting the name, but since the regular session of the legislature had adjourned, under paragraph (1), that presentment was ineffective.

Because joint sessions for confirmation purposes are often held near the end of the regular session, this means that the time for a new appointee's presentment would most likely fall during a special session (if one is held in the interim).

The waters become muddy because the 20-day requirement (that the governor has to name a candidate following a failed confirmation) of paragraph (3) is a direct conflict with paragraph (1), which states that only presentment that occurs during a regular session constitutes presentment. To further complicate the issue, AS 39.05.080 is utterly ambiguous as to whether the legislature is even authorized to confirm appointees during the special session.

HB331 reconciles the two problematic paragraphs of AS 39.05.080 by:

- Removing the 20-day requirement in paragraph (3) and keeping the requirement of paragraph (1) stating that only presentment during a regular session is valid;
- Inserting as appropriate throughout the section, "**regular**;"
- Removing "within five calendar days" from the latter part of paragraph (1) because the five-day presentment requirement in paragraph (1) is just as problematical as the 20-day presentment requirement since the fifth day could be outside the regular session even if the appointment were made during the regular session.

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House of Representatives  
House District 24

HB331

## Sectional Analysis

AS 39.05.080 establishes the procedures on how the positions or memberships on a specific board or commission shall be handled.

Paragraph 1. This paragraph directs the governor to:

- Present names of appointed individuals to the legislature. It stipulates that only presentments that occur while the legislature is in regular session constitute 'presentment.'
- Within the first 30 days after the legislature convenes its regular session, the governor presents the names of the following persons to the legislators:
  - A. appointments who have not been previously confirmed by the legislature; and
  - B. appointments of persons who will fill a position for which the term will expire on or before March 1 during that legislative session. If an appointment is made after the first 30 days of the convening of the legislature but while the legislature is in regular session, the governor shall simultaneously with making the appointment, present it to the legislature for confirmation.

This paragraph of AS 39.05.080 also reflects the elimination of the five-day period of time in which the governor had to present the individual to the legislature following the appointment. The five-day presentment requirement in paragraph (1) was problematic because the fifth day could be outside the regular session even if the appointment was made during the regular session.

This paragraph also reflects the elimination of a mechanism (by concurrent resolution) where the legislature could have extended the five-day deadline. This is, of course an unconstitutional provision. A statute may only be modified by another statute not by a concurrent resolution of agency regulation.

Paragraph 2. When appointments are presented to the legislature for confirmation:

- A. The presiding officers of each house assign the appointee to a committee for a hearing, report, and recommendation. The standing committees may meet jointly; then

- B. Before the end of the regular session in which the appointments are presented, the legislature meets in joint session to act by confirming or declining to confirm by a majority vote.

The word "regular" is added to this paragraph of AS 39.05.080 so that it is clear that confirmation hearings do not occur during special sessions.

Paragraph 3. When the legislature declines to confirm an appointment:

- the governor is notified of its action and a vacancy for the position is created which the governor fills by making a new appointment.
  - The governor cannot re-appoint the rejected candidate during the regular session of the legislature at which the confirmation failed. Likewise, the governor may not appoint the failed candidate during the interim between regular sessions to carry out the duties of that vacant position.
  - Finally, if the legislature fails to act to confirm an appointee during the regular session, the appointee is, in effect, rejected.

The 20-day provision for the governor's presentment following the initial failed confirmation is deleted from Section 3. By eliminating the 20-day provision of section (3) and keeping the requirement of section (1) it is clear that only presentment during a regular session is valid.

Paragraph 4. The appointees with pending confirmations shall exercise the functions, have the powers and be charged with the duties prescribed by law.

There are several specific limitations cited in this paragraph, such as:

- The term of an appointee who is named during the interim by a governor who leaves office prior to the first day of the regular session ends on the first day of the regular session.

This section is completely unchanged from the original statute.

Alaska State Legislature  
House of Representatives

RULES COMMITTEE, CHAIR  
COMMITTEE ON COMMITTEES  
LABOR & COMMERCE COMMITTEE  
MILITARY & VETERANS AFFAIRS  
LEGISLATIVE COUNCIL



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SESSION:  
ALASKA STATE CAPITOL  
JUNEAU, AK 99801

# Memorandum

To: Rep. John Coghill  
From: Rep. Pete Kott  
Date: January 22, 2002

Regarding: HB 331  
Governor's Appointments

Attached to this memorandum is a copy of HB 331, relating to the timing of the governor's appointments. I am also submitting my sponsor statement and a sectional analysis.

At this time, I would like to request a hearing in State Affairs, at the earliest opportunity.

Representative Pete Kott

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<http://www.akrepublicans.org/Kott.htm>



# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 331  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Office of the Governor  
 Title "An Act relating to appointment of BRU Executive Operations  
positions that require confirmation..." Component Executive Office  
 Sponsor Representative Kott  
 Requester State Affairs Component No. 6

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

No fiscal impact.

Prepared by: Michael A. Nizich, Administrative Director Phone 465-3876  
 Division Administrative Services Date/Time 2/6/02 9:47 AM  
 Approved by: David Ramseur, Chief of Staff Date 02/06/2002  
 Agency Office of the Governor



# LEGAL SERVICES

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## MEMORANDUM

February 28, 2002

**SUBJECT:** Governor's appointments (CSHB 331(STA), draft version "C")

**TO:** Representative John Coghill  
Attn: Rynniewa

**FROM:** Terri Lauterbach  
Legislative Counsel *TLauterbach*

Enclosed is the draft CS you requested.

You also requested my opinion as to what "immediately" would mean with regard to when the governor would have the duty to present an appointee's name to the legislature if the appointment were made on a weekend or holiday. Your stated intent is to ensure that "immediately" would provide the governor the flexibility to present the appointee's name to the legislature on the next "business day" and still be found in compliance with the statute amended in this bill.

In my opinion, the meaning of "immediately" is flexible and depends on the context in which it is used and the circumstances existing at the time the duty to act "immediately" arises. In the legislative context, "immediately" could reasonably mean not the next "business day" (as that term is applied to commercial transactions) but the next "business day" of the legislature. In my opinion, the next "business day" in the presentment context could be construed to be the next day on which a body of the legislature holds a floor session, which is when messages from the governor are read. As you know, the next legislative floor session could well be on a weekend or holiday, particularly toward the end of a regular session. But, at other times, the next "business day" of the legislature would normally be a weekday.

If you want to give the governor the flexibility to delay presentment until after a three-day holiday weekend but still ensure that "immediately" has an outside time limit, then you could amend AS 39.05.080(1) to say "immediately, but in no event more than 72 hours later."

## DISCUSSION

"Immediately" appears hundreds of times in the Alaska Statutes and is defined only once. In AS 47.17.290(6), "immediately" means "as soon as is reasonably possible, and no later than 24 hours." The context of this use of "immediately" is the reporting of suspected

Representative John Coghill  
February 28, 2002  
Page 2

child abuse and the notices and investigations that must happen after the initial report. The 24-hour limit is an outside time limit that the legislature put on the term "immediately" in this context. Without that outside time limit, the term would probably be construed according to the first phrase of the definition: "as soon as is reasonably possible."

The legislature has also put outside time limits on the use of "immediately" in another context. Under AS 47.12.250, a statute relating to alleged delinquents, a police officer who detains a minor must "immediately, and in no event more than 12 hours later," notify the court about the detention, and the court must "immediately, and in no event more than 48 hours later," hold a hearing except that, if the minor is being held securely in correctional facilities that house adult prisoners, the court must "immediately, and in no event more than 24 hours after the custody begins," hold a hearing. Again, this is a specific context in which the legislature has chosen to put an outside time limit on the term "immediately." There may be other statutes with outside time limits on "immediately."

However, most of the uses of "immediately" in the statutes carry no outside time limit. These statutes relate predominantly to notice situations, notices that must be given by or to courts, boards, departments, corporations, banks, etc. At least one other relates to the governor's duty to "immediately" appoint a board member (AS 03.09.010(b)). In these contexts, a court would probably use a reasonableness standard for the term "immediately." For instance, when construing insurance policies that require an insured to give "immediate" notice of a claim to the insurer, courts have found that the notice must be given "within a reasonable time under the circumstances." *Black's Law Dictionary, Seventh Edition.*

Therefore, I think "immediately," as used in AS 39.05.080(1) in the enclosed CS, would probably be construed by a court as meaning "within a reasonable time under the circumstances." In the context of AS 39.05.080(1), the circumstances considered by the court would include the fact that the legislature should be given time to consider a name presented to it. A reasonable time for presenting an appointment made on the 60th day of a regular session might be several days. There would still be plenty of time for the legislature to act on the appointment. In contrast, a reasonable time for presenting an appointment made on the 100th day could well be construed to be by the time of the next legislative floor session, which is when messages from the governor could be read across.

There is a possibility that a court would allow "immediately" to be longer than several days. If it is important to you that there be an outside time limit, then you should put that time limit in the statute.

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Representative John Coghill  
February 28, 2002  
Page 3

I hope you find this discussion helpful to you as you consider your legislative options. I have attached a printout showing where "immediately" is used in the Alaska Statutes. If I may be of further assistance, please advise.

TML:med  
02-232.med

Enclosure



# ALASKA STATE HOUSE OF REPRESENTATIVES

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State Capitol  
Room 102

## REPRESENTATIVE JOHN COGHILL

Date: March 14, 2002

To: Terri Lauterbach, Leg Legal

From: Rynnieva Moss, Legislative Aide

A handwritten signature in cursive script, appearing to read "Rynnieva Moss".

Re: Work Order #LS1288 Version C

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Please prepare a final on CSHB 331(STA), which is version C. It was passed out of State Affairs this morning with no changes.

Thanks.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

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Juneau, Alaska 99801-1182  
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## MEMORANDUM

February 28, 2002

**SUBJECT:** Governor's appointments (CSHB 331(STA), draft version "C")

**TO:** Representative John Coghill  
Attn: Rynniva

**FROM:** Terri Lauterbach  
Legislative Counsel *T. Lauterbach*

Enclosed is the draft CS you requested.

You also requested my opinion as to what "immediately" would mean with regard to when the governor would have the duty to present an appointee's name to the legislature if the appointment were made on a weekend or holiday. Your stated intent is to ensure that "immediately" would provide the governor the flexibility to present the appointee's name to the legislature on the next "business day" and still be found in compliance with the statute amended in this bill.

In my opinion, the meaning of "immediately" is flexible and depends on the context in which it is used and the circumstances existing at the time the duty to act "immediately" arises. In the legislative context, "immediately" could reasonably mean not the next "business day" (as that term is applied to commercial transactions) but the next "business day" of the legislature. In my opinion, the next "business day" in the presentment context could be construed to be the next day on which a body of the legislature holds a floor session, which is when messages from the governor are read. As you know, the next legislative floor session could well be on a weekend or holiday, particularly toward the end of a regular session. But, at other times, the next "business day" of the legislature would normally be a weekday.

If you want to give the governor the flexibility to delay presentment until after a three-day holiday weekend but still ensure that "immediately" has an outside time limit, then you could amend AS 39.05.080(1) to say "immediately, but in no event more than 72 hours later."

## DISCUSSION

"Immediately" appears hundreds of times in the Alaska Statutes and is defined only once. In AS 47.17.290(6), "immediately" means "as soon as is reasonably possible, and no later than 24 hours." The context of this use of "immediately" is the reporting of suspected

Representative John Coghill

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child abuse and the notices and investigations that must happen after the initial report. The 24-hour limit is an outside time limit that the legislature put on the term "immediately" in this context. Without that outside time limit, the term would probably be construed according to the first phrase of the definition: "as soon as is reasonably possible."

The legislature has also put outside time limits on the use of "immediately" in another context. Under AS 47.12.250, a statute relating to alleged delinquents, a police officer who detains a minor must "immediately, and in no event more than 12 hours later," notify the court about the detention, and the court must "immediately, and in no event more than 48 hours later," hold a hearing except that, if the minor is being held securely in correctional facilities that house adult prisoners, the court must "immediately, and in no event more than 24 hours after the custody begins," hold a hearing. Again, this is a specific context in which the legislature has chosen to put an outside time limit on the term "immediately." There may be other statutes with outside time limits on "immediately."

However, most of the uses of "immediately" in the statutes carry no outside time limit. These statutes relate predominantly to notice situations, notices that must be given by or to courts, boards, departments, corporations, banks, etc. At least one other relates to the governor's duty to "immediately" appoint a board member (AS 03.09.010(b)). In these contexts, a court would probably use a reasonableness standard for the term "immediately." For instance, when construing insurance policies that require an insured to give "immediate" notice of a claim to the insurer, courts have found that the notice must be given "within a reasonable time under the circumstances." *Black's Law Dictionary, Seventh Edition.*

Therefore, I think "immediately," as used in AS 39.05.080(1) in the enclosed CS, would probably be construed by a court as meaning "within a reasonable time under the circumstances." In the context of AS 39.05.080(1), the circumstances considered by the court would include the fact that the legislature should be given time to consider a name presented to it. A reasonable time for presenting an appointment made on the 60th day of a regular session might be several days. There would still be plenty of time for the legislature to act on the appointment. In contrast, a reasonable time for presenting an appointment made on the 100th day could well be construed to be by the time of the next legislative floor session, which is when messages from the governor could be read across.

There is a possibility that a court would allow "immediately" to be longer than several days. If it is important to you that there be an outside time limit, then you should put that time limit in the statute.

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Representative John Coghill  
February 28, 2002  
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I hope you find this discussion helpful to you as you consider your legislative options. I have attached a printout showing where "immediately" is used in the Alaska Statutes. If I may be of further assistance, please advise.

TML:med  
02-232.med

Enclosure

- 2 + Title 03. AGRICULTURE AND ANIMALS
  - 1 Sec. 03.09.010. Board of Agriculture and Conservation established.  
...the governor shall immediately appoint a member ...
  - 1 Sec. 03.47.030. Duties of the division.  
...pluton) shall be immediately quarantined and treated ...
- 4 + Title 04. ALCOHOLIC BEVERAGES
  - 1 Sec. 04.11.110. Club license.  
...leave the premises immediately upon the departure ...
  - 1 Sec. 04.11.310. Notice of application.  
... (1) immediately provide written notice ...
  - 1 Sec. 04.11.494. Operation of delivery sites.  
... (13) shall immediately report violations of ...
  - 1 Sec. 04.11.510. Procedure for action on license applications, suspensions, and revocations.  
...furnished the applicant immediately in writing stating ...
- 5 + Title 05. AMUSEMENTS AND SPORTS
  - 1 Sec. 05.10.110. Inspectors.  
...chapter and shall immediately transmit the statement ...
  - 1 Sec. 05.15.165. Operators.  
...of the insurance immediately suspends the rights ...
  - 1 Sec. 05.15.610. Order prohibiting action in violation of chapter.  
...The commissioner shall immediately serve the person ...
  - 1 Sec. 05.20.030. Powers and duties of department.  
...public, it shall immediately give notice to ...
  - 1 Sec. 05.20.050. Duties of inspector; condemnation.  
...the equipment dangerous, immediately report this to ...  
...equipment and shall immediately notify the department ...
- 6 + Title 06. BANKS AND FINANCIAL INSTITUTIONS
  - 1 Sec. 06.05.050. Publication of reports.  
...shall be published immediately in condensed form ...
  - 1 Sec. 06.05.175. Depositor and customer records confidential.  
...the bank shall immediately notify the customer ...
  - 1 Sec. 06.15.140. Commencement of operation.  
...this subsection shall immediately stop operation. ...
  - 1 Sec. 06.25.240. Real estate.  
...and the conveyance immediately recorded. ...
  - 1 Sec. 06.25.270. Impairment of capital.  
...trust company shall immediately serve notice of ...
  - 1 Sec. 06.25.300. Oath of directors.  
...administer oaths, and immediately filed with the ...
- 8 + Title 08. BUSINESS AND PROFESSIONS
  - 1 Sec. 08.24.150. Bond.  
...The department shall immediately cancel the bond ...  
...the department shall immediately give notice to ...
  - 1 Sec. 08.24.280. Records and funds.  
...shall be made immediately upon the receipt ...  
...to be made immediately available to the ...  
...to be made immediately available to the ...
  - 1 Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.  
...doing so, shall immediately notify each registrant ...
  - 1 Sec. 08.54.710. Discipline of guides and transporters.  
...been revoked shall immediately surrender the license ...
  - 1 Sec. 08.68.333. Registry of certified nurse aides.  
...the board shall immediately revoke the nurse ...
  - 1 Sec. 08.80.330. Licensed pharmacist appointed as "pharmacist-in-charge".  
...a pharmacy shall immediately advise the board ...
  - 1 Sec. 08.88.071. Duties of the commission.  
...estate broker, fails immediately to turn money ...
  - 1 Sec. 08.88.331. Making of transactions.  
...estate transaction shall immediately be turned over ...
- 19 + Title 09. CODE OF CIVIL PROCEDURE
  - 1 Sec. 09.05.050. Service of process on state prisoners.  
... (1) immediately hand deliver the ...
  - 1 Sec. 09.10.050. Certain property actions to be brought in six years.  
...demand is due immediately, so an action ...  
...demand, becomes due immediately and the statute ...

- ...demand is due immediately may not apply ...  
...should become due immediately. North Am. Trading ...
- 1 Sec. 09.17.020. Punitive damages.  
...available for production immediately at the close ...
- 1 Sec. 09.25.010. Statute of frauds.  
...be charged placed immediately at the end ...
- 1 Sec. 09.30.300. Satisfaction of judgment.  
...suitable for recordation immediately upon payment in ...
- 1 Sec. 09.35.270. Procedure for redemption.  
...peace officer shall immediately give notice of ...
- 1 Sec. 09.35.290. Redemption payment or refusal to permit redemption.  
...peace officer shall immediately pay the money ...
- 1 Sec. 09.40.140. Order for arrest.  
...shall be made immediately whenever it appears ...
- 1 Sec. 09.40.160. Time for order for arrest.  
...peace officer to immediately arrest the defendant ...
- 1 Sec. 09.43.020. Proceedings to compel or stay arbitration.  
...dispute, shall be immediately and summarily tried ...
- 1 Sec. 09.45.230. Action based on private nuisance.  
...The state shall immediately tender the defense ...  
...so imperatively demanding immediately relief as to ...
- 1 Sec. 09.50.010. Acts or omissions constituting contempt.  
...to it without immediately disclosing it to ...  
...12.30, to report immediately that the person ...
- 1 Sec. 09.50.220. Proceeds of sale.  
...faith and to immediately abate the nuisance. ...
- 1 Sec. 09.50.270. Payment of judgment against the state.  
...the court shall immediately transmit a certified ...
- 1 Sec. 09.50.280. Judgment for plaintiff; punitive damages.  
...as damages is immediately "due" in the ...
- 1 Sec. 09.55.330. Compensation and damages.  
...to the state immediately upon filing and ...
- 1 Sec. 09.55.420. Declaration of taking by state or municipality.  
...former, title passes immediately upon filing and ...
- 1 Sec. 09.55.440. Vesting of title and compensation.  
...it be paid immediately to the person ...  
...former, title passes immediately upon filing and ...  
...to the state immediately upon filing and ...  
...award were paid immediately upon the taking ...
- 1 Sec. 09.65.070. Suits against incorporated units of local government.  
...threats is to immediately investigate them; there ...
- 19 + Title 10. CORPORATIONS AND ASSOCIATIONS
- 1 Sec. 10.06.170. Change or resignation of registered agent.  
...The commissioner shall immediately mail a copy ...
- 1 Sec. 10.06.608. Certificate of election: contents, signing, verification and filing.  
...and dissolve shall immediately file a certificate ...
- 1 Sec. 10.06.960. Corporations organized under Alaska Native Claims Settlement Act.  
...that is not immediately distributed or required ...
- 1 Sec. 10.13.750. Removal and suspension orders in cases of violation or breach of duty.  
...The department may immediately issue an order ...
- 1 Sec. 10.13.800. Orders restricting additional financing assistance.  
...that the department immediately prevent the licensee ...
- 1 Sec. 10.15.150. Election of directors.  
...director shall enter immediately upon the discharge ...
- 1 Sec. 10.20.041. Registration of registered agent.  
...The commissioner shall immediately mail a copy ...
- 1 Sec. 10.20.046. Service of process on corporation.  
...the commissioner shall immediately forward a copy ...
- 1 Sec. 10.20.290. Voluntary dissolution.  
...them up, shall immediately cause a notice ...  
...secretary shall be immediately filed with the ...
- 1 Sec. 10.20.300. Plan of distribution.  
...distribution shall be immediately filed with the ...
- 1 Sec. 10.20.305. Revocation of voluntary dissolution proceedings.  
...a copy shall immediately be filed with ...

- 1 Sec. 10.20.530. Service on commissioner.  
...The commissioner shall immediately have one copy ...
- 1 Sec. 10.25.340. Notice to creditors.  
...of directors shall immediately have a notice ...
- 1 Sec. 10.25.420. Effect of recordation of mortgages.  
...the lien thereof immediately upon the acquisition ...
- 1 Sec. 10.25.490. Resignation of registered agent.  
...The commissioner shall immediately mail a copy ...
- 1 Sec. 10.25.510. Manner of service on commissioner.  
...The commissioner shall immediately have one copy ...
- 1 Sec. 10.40.120. Succession to property on death, resignation or removal of person not incorporated as corporation s  
...by the predecessor immediately vests in the ...
- 1 Sec. 10.45.200. Legal disqualification of corporate personnel.  
...the professional corporation immediately. The failure of ...
- 1 Sec. 10.50.063. Change or resignation of registered agent.  
... The department shall immediately mail a copy ...

7 + Title 11. CRIMINAL LAW

- 1 Sec. 11.41.100. Murder in the first degree.  
...Liability where death immediately results from treatment ...
- 1 Sec. 11.46.200. Theft of services.  
...is customarily paid immediately upon the receiving ...
- 1 Sec. 11.46.300. Burglary in the first degree.  
...was to begin immediately at defendant's sentencing ...
- 1 Sec. 11.61.195. Misconduct involving weapons in the second degree.  
...a parking lot immediately adjacent to ...
- 1 Sec. 11.61.200. Misconduct involving weapons in the third degree.  
...fully assembled or immediately capable of firing ...
- 1 Sec. 11.61.220. Misconduct involving weapons in the fifth degree.  
...a parking lot immediately adjacent to a ...  
...a parking lot immediately adjacent to a ...
- 1 Sec. 11.81.335. Justification: Use of deadly force in defense of self.  
...and the court immediately thereafter properly charged ...

24 + Title 12. CODE OF CRIMINAL PROCEDURE

- 1 Sec. 12.25.020. Judge or magistrate may order arrest.  
...offender, and may immediately proceed as though ...
- 1 Sec. 12.25.035. Arrest without warrant by state trooper when judicial officer is unavailable.  
...the person is immediately arrested; and ...
- 1 Sec. 12.25.120. Retaking escaped prisoner.  
...was rescued may immediately pursue and retake ...
- 1 Sec. 12.25.140. Property taken from defendant on arrest.  
...taking it shall immediately make duplicate receipts ...
- 1 Sec. 12.30.010. Bail before conviction.  
...should be released immediately. There is no ...
- 1 Sec. 12.30.020. Release before trial.  
...failure to report immediately in accordance with ...  
...will be issued immediately upon a violation ...
- 1 Sec. 12.30.027. Release in domestic violence cases.  
... (3) immediately distribute a copy ...  
...reasonable efforts to immediately notify the alleged ...  
...reasonable efforts to immediately notify the alleged ...
- 1 Sec. 12.35.015. Issuance of search warrant upon testimony communicated by telephone or other means.  
...judicial officer shall immediately sign the original ...
- 1 Sec. 12.35.020. Grounds for issuance.  
...warrant be executed immediately or forthwith. Johnson ...
- 1 Sec. 12.37.070. Records and recordings and custody of them.  
... (b) Immediately upon expiration of ...
- 1 Sec. 12.45.080. Disposition of proceeding upon failure of state to comply with order.  
...hearing be terminated immediately or a mistrial ...
- 1 Sec. 12.47.092. Procedure for conditional release.  
...conditional release shall immediately notify the commissioner ...
- 1 Sec. 12.50.010. Witness subpoenaed in this state to testify in another state.  
...the witness be immediately brought before the ...  
...the witness be immediately taken into custody ...
- 1 Sec. 12.55.085. Suspending imposition of sentence.  
...was to begin immediately at defendant's sentencing ...

- 1 Sec. 12.60.060. Arrest.  
...of arrested and immediately brought before the ...
- 1 Sec. 12.60.190. Arrest on failure to disperse and commanding aid.  
...assembled do not immediately disperse. the district ...
- 1 Sec. 12.63.030. Notification of other jurisdictions.  
...the department shall immediately notify the Federal ...
- 1 Sec. 12.65.005. Duty to notify state medical examiner.  
...peace officer, shall immediately notify the state ...
- 1 Sec. 12.70.110. Confinement in jail when necessary.  
...the purpose of immediately returning that prisoner ...
- 1 Sec. 12.70.240. Written waiver of extradition proceedings.  
...executed, it shall immediately be forwarded to ...  
...custody to deliver immediately that person to ...
- 1 Sec. 12.75.060. Proceedings on disobedience of writ.  
...of service, to immediately issue a warrant ...  
...the officer to immediately apprehend and bring ...
- 1 Sec. 12.75.070. Precept to peace officer.  
...the officer to immediately bring the person ...
- 1 Sec. 12.75.120. Proceedings where commitment irregular.  
...is irregular, shall immediately remand the party ...
- 1 Sec. 12.75.180. Grounds for warrant in lieu of writ.  
...the officer to immediately bring the person ...
- 7 + Title 13. DECEDENTS' ESTATES, GUARDIANSHIPS, TRANSFERS, AND TRUSTS
  - 1 Sec. 13.12.101. Intestate estate.  
...His title vests immediately upon the death ...
  - 1 Sec. 13.12.404. Family allowance.  
...which she could immediately convert into cash ...
  - 1 Sec. 13.16.410. Transactions authorized for personal representatives; exceptions.  
...and are not immediately distributable, deposit or ...
  - 1 Sec. 13.16.690. Small estates; summary administrative procedure.  
...to creditors, may immediately disburse and distribute ...
  - 1 Sec. 13.16.700. Settlement directed by court.  
...the judge may immediately appoint a person. ...
  - 1 Sec. 13.26.140. Temporary guardians; authorization of services.  
...The petitioner shall immediately file the request ...
  - 1 Sec. 13.33.201. Definitions.  
...is treated as immediately effective and a ...
- 27 + Title 14. EDUCATION, LIBRARIES, AND MUSEUMS
  - 1 Sec. 14.17.610. Distribution of state aid.  
...the district shall immediately remit the amount ...
  - 1 Sec. 14.20.015. Recognition of certificates of out-of-state teachers.  
...the department shall immediately revoke the teacher's ...
  - 1 Sec. 14.20.017. Grace period for issuance of regular teacher certificates to previously certificated teachers.  
...the department shall immediately revoke the revocable ...
  - 1 Sec. 14.20.180. Procedures upon notice of dismissal or nonretention.  
...the employer shall immediately schedule a hearing ...  
...school board shall immediately schedule an informal ...  
...dismissal becomes effective immediately following the expiration ...
  - 1 Sec. 14.20.215. Definitions.  
...or school term immediately following the expiration ...
  - 1 Sec. 14.25.022. Regulations.  
...or repealed, effective immediately, as an emergency ...
  - 1 Sec. 14.25.060. Arrearage indebtedness.  
...armed forces is immediately preceded by membership ...
  - 1 Sec. 14.25.100. Credit for service in the armed forces.  
...armed forces is immediately preceded by Alaska ...
  - 1 Sec. 14.30.045. Grounds for suspension or denial of admission.  
...grounds or not immediately connected with school ...
  - 1 Sec. 14.30.193. Due process hearing.  
...hearing officer shall immediately inform the parent ...
  - 1 Sec. 14.30.700. Records of missing children.  
...school district shall immediately report to the ...
  - 1 Sec. 14.30.710. Required records upon transfer.  
...school district shall immediately notify the Department ...
  - 1 Sec. 14.40.671. Participation.

- ...the university shall immediately pay the amount ...
- 1 Sec. 14.40.871. Regulations.  
...section takes effect immediately upon its adoption ...
- 1 Sec. 14.40.946. Public loans or donations to or cooperation with corporation.  
...ordinance takes effect immediately without publishing or ...
- 1 Sec. 14.42.015. Creation, composition, appointment of members.  
...the commission is immediately forfeited by a ...
- 1 Sec. 14.42.205. Supplemental education loans: financing program. [Effective July 1, 2002].  
...Loan Corporation may immediately implement [this section] ...
- 1 Sec. 14.42.250. Validity of pledge.  
...the corporation shall immediately be subject to ...
- 1 Sec. 14.43.020. Applications for and issuance and report of certificates.  
...shall be reported immediately to the registrar ...
- 1 Sec. 14.43.145. Default.  
...Loan Corporation may immediately implement [the amendments ...
- 1 Sec. 14.43.147. Order to withhold and deliver.  
...the state. shall immediately withhold property due. ...  
...the employer shall immediately reimplement the order ...
- 1 Sec. 14.43.161. Purpose: creation. [Effective July 1, 2002].  
...Loan Corporation may immediately implement [these sections] ...
- 1 Sec. 14.43.170. Creation: purpose. [Effective July 1, 2002].  
...Loan Corporation may immediately implement [these sections] ...
- 1 Sec. 14.43.650. Selection criteria.  
...Loan Corporation may immediately implement [the amendments ...
- 1 Sec. 14.43.740. Loan terms and conditions.  
...of the month immediately following loan disbursement. ...
- 1 Sec. 14.43.920. Repayment by ineligible recipient.  
...money paid is immediately due to the ...
- 1 Sec. 14.44.015. Terms and provisions of Compact.  
...operative and binding immediately as to those ...
- 12 + Title 15. ELECTIONS
- 1 Sec. 15.07.070. Procedure for registration.  
...voter's name shall immediately be placed on ...  
...the voter shall immediately be informed in ...  
...voter's name shall immediately be placed on ...
- 1 Sec. 15.10.300. Preparation for legislative redistricting.  
...the Redistricting Board immediately upon the board's ...
- 1 Sec. 15.13.114. Disposition of prohibited contributions.  
...or 15.13.074 shall immediately, upon discovery that ...  
...AS 15.13.070 shall immediately, upon discovery of ...  
...shall be delivered immediately to the Department ...
- 1 Sec. 15.15.060. Polling places, voting booths, and supplies.  
... (a) Immediately following the appointment ...
- 1 Sec. 15.15.250. Disposition of spoiled ballot.  
...the spoiled ballot immediately without examining it. ...
- 1 Sec. 15.15.330. Commencement of ballot count.  
...election board shall immediately proceed to open ...
- 1 Sec. 15.15.370. Completion of ballot count; certificate.  
...election board shall, immediately upon completion of ...  
...Each board shall, immediately upon completion of ...
- 1 Sec. 15.15.460. Tie votes.  
...The director shall immediately proceed with the ...
- 1 Sec. 15.20.201. Time of district absentee ballot counting review.  
...shall be forwarded immediately to the director ...
- 1 Sec. 15.20.205. Time of district questioned ballot counting review.  
...shall be forwarded immediately to the director ...
- 1 Sec. 15.20.560. Judgment of court.  
...the director shall immediately proceed to determine ...
- 1 Sec. 15.25.040. Manner and date of filing declaration.  
...election supervisor shall immediately forward the declaration ...
- 8 + Title 16. FISH AND GAME
- 1 Sec. 16.05.340. License, permit, and tag fees.  
...to the animal immediately upon ...  
...to the animal immediately upon capture and ...
- 1 Sec. 16.05.520. Number plate.

- ...the vessel shall immediately apply for and ...
- ...the owner shall immediately report the loss, ...
- 1 Sec. 16.05.710. Suspension of commercial license and entry permit.  
...requiring a forfeiture immediately upon conviction and ...
- 1 Sec. 16.10.040. Disposition of money received for fines and penalties.  
...they shall be immediately available for expenditure ...
- 1 Sec. 16.20.034. Mendenhall Wetlands State Game Refuge.  
...thence trend northwesterly immediately adjacent to but ...
- 1 Sec. 16.43.960. Commission revocation or suspension of permits.  
...The commission shall immediately cancel a limited ...
- 1 Sec. 16.43.970. Penalties.  
...the court shall immediately notify the commission ...
- 1 Sec. 16.45.020. The compact.  
...agreement becomes operative immediately as to those ...
- 4 + Title 17. FOOD AND DRUGS
- 1 Sec. 17.20.040. Misbranded foods.  
...word "imitation" and, immediately thereafter, the name ...
- 1 Sec. 17.20.270. Immediate destruction of contaminated food.  
...the commissioner shall immediately condemn or destroy ...
- 1 Sec. 17.30.124. Remittance to claimant.  
...to the claimant immediately; ...
- 1 Sec. 17.37.030. Privileged medical use of marijuana.  
...shall be returned immediately upon the determination ...
- 32 + Title 18. HEALTH, SAFETY, AND HOUSING
- 1 Sec. 18.08.089. Authority to pronounce death.  
...AS 08.64 is immediately available for consultation ...
- 1 Sec. 18.15.120. Tuberculosis control program authorized.  
...to adopt regulations immediately to implement changes ...
- 1 Sec. 18.20.310. Sanctions for noncompliance.  
...section takes effect immediately upon service of ...
- 1 Sec. 18.20.330. Appeal: hearing.  
...that takes effect immediately under AS 18.20.310(b)(1), ...
- 1 Sec. 18.20.360. Temporary management.  
...nursing facility is immediately jeopardized as the ...  
...the department shall immediately petition the superior ...
- 1 Sec. 18.20.370. Receivership.  
...action necessary to immediately correct the conditions ...  
...facility's residents is immediately jeopardized; ...
- 1 Sec. 18.26.140. Pledge of revenue.  
...the authority are immediately subject to the ...
- 1 Sec. 18.50.315. Records of missing children.  
...the bureau shall immediately notify the Department ...
- 1 Sec. 18.55.080. Members or employees prohibited from acquiring interest in projects.  
...or employee shall immediately disclose the interest ...
- 1 Sec. 18.55.120. Operation and management of projects.  
...the six years immediately following issuance of ...
- 1 Sec. 18.55.280. Public loans or donations to or cooperation with corporation.  
...ordinance takes effect immediately without publishing or ...
- 1 Sec. 18.55.500. Interest of members of board of directors or employees of corporation in project prohibited.  
...or employee shall immediately disclose the interest ...  
...or employee shall immediately disclose the interest ...
- 1 Sec. 18.56.030. Corporation governing body.  
...an appointment, effective immediately, for the unexpired ...
- 1 Sec. 18.56.088. Administrative procedure.  
...section becomes effective immediately upon its adoption ...
- 1 Sec. 18.56.120. Validity of any pledge.  
...or revenue are immediately subject to the ...
- 1 Sec. 18.57.060. Validity of pledge.  
...revenue pledged are immediately subject to the ...
- 1 Sec. 18.60.058. Reporting of injuries and illnesses.  
...must be made immediately but in no ...
- 1 Sec. 18.60.091. Citations.  
...citation, shall be immediately and prominently posted, ...
- 1 Sec. 18.60.096. Imminent dangers.  
...be expected to immediately cause death or ...

- 1 Sec. 18.60.180. Regulations.  
...to the code immediately upon their adoption ...
- 1 Sec. 18.60.190. Effect of regulations.  
...regulations are permissive immediately upon adoption and ...
- 1 Sec. 18.60.505. Authority of department in cases of emergency.  
...order is effective immediately. A person to ...  
...comply with it immediately, but on application ...
- 1 Sec. 18.60.680. Placement of barriers for temporary work.  
...the person shall immediately notify the operator ...
- 1 Sec. 18.60.780. Definitions.  
...flat glazed panels immediately adjacent to entrance ...  
...doors and the immediately adjacent flat fixed ...
- 1 Sec. 18.65.640. Reports upon finding a missing person.  
...enforcement agency shall immediately notify the clearinghouse ...
- 1 Sec. 18.65.735. Suspension of permit.  
...The department shall immediately suspend a permit ...  
...this section shall immediately surrender the permit ...  
...this section shall immediately forward the permit ...
- 1 Sec. 18.65.740. Revocation of permit; appeal.  
...handgun shall be immediately revoked by the ...  
...this section shall immediately surrender the permit ...  
...this section shall immediately forward the permit ...
- 1 Sec. 18.65.750. Possession and display of permit.  
...the permittee shall immediately inform the peace ...
- 1 Sec. 18.65.765. Responsibilities of the permittee.  
... (2) shall immediately report a lost, ...  
... (3) shall immediately notify the department ...
- 1 Sec. 18.80.110. Investigation and conciliation.  
...the investigator shall immediately try to eliminate ...
- 1 Sec. 18.85.100. Right to representation, services, and facilities.  
...attorney was not immediately available. Under such ...
- 1 Sec. 18.85.110. Notice and provision for representation.  
...attorney was not immediately available. Under such ...
- 2 + Title 19. HIGHWAYS AND FERRIES
- 1 Sec. 19.10.399. Definitions.  
...drawn upon or immediately over a highway ...
- 1 Sec. 19.20.040. Acquisition of property and property rights.  
...tract is not immediately needed for the ...
- 36 + Title 21. INSURANCE
- 1 Sec. 21.06.200. Notice of hearing.  
...be directly and immediately affected by the ...
- 1 Sec. 21.06.210. Hearing procedure.  
...be directly and immediately affected by the ...
- 1 Sec. 21.09.150. Suspension or revocation for violations and special grounds.  
...or a hearing, immediately suspend the certificate ...
- 1 Sec. 21.09.160. Notice of suspension or revocation and effect upon agent's authority.  
...the director shall immediately give notice to ...
- 1 Sec. 21.09.170. Duration of suspension, insurer's obligations, and reinstatement.  
...The director shall immediately notify both the ...
- 1 Sec. 21.18.080. Reserve standards for health insurance.  
...loss must be immediately recognized and reserves ...
- 1 Sec. 21.21.310. Failure to dispose of real estate, property, or securities. [Repealed, Sec. 84 ch 81 SLA 2001].  
...The insurer shall immediately dispose of an ...
- 1 Sec. 21.24.120. Deficiency of deposit.  
...the director shall immediately revoke the insurer's ...
- 1 Sec. 21.27.030. Controlled business disqualification.  
...the 12-month period immediately following issuance of ...
- 1 Sec. 21.27.100. Appointment of insurance producer, managing general agent, and reinsurance intermediary manage  
... insurance producer shall immediately discontinue acting as ...
- 1 Sec. 21.27.270. Licensing of nonresidents. [See delayed amendment note].  
...the director shall immediately send one of ...  
...the director shall immediately send one of ...
- 1 Sec. 21.27.540. Trainee insurance producers.  
...the license shall immediately surrender the license ...
- 1 Sec. 21.27.600. Trainee managing general agents.

- ...the license shall immediately surrender the license ...
- 1 ...the license shall immediately surrender the license ...
- 1 Sec. 21.27.680. Trainee reinsurance intermediary brokers.
- ...the license shall immediately surrender the license ...
- 1 ...the license shall immediately surrender the license ...
- 1 Sec. 21.27.740. Trainee reinsurance intermediary managers.
- ...the license shall immediately surrender the license ...
- 1 Sec. 21.27.800. Trainee surplus lines broker.
- ...the license shall immediately surrender the license ...
- 1 ...the license shall immediately surrender the license ...
- 1 Sec. 21.33.021. Service of process on director.
- ...The director shall immediately mail one copy ...
- 1 Sec. 21.33.025. Service of process on lieutenant governor.
- ...lieutenant governor shall immediately mail one copy ...
- 1 Sec. 21.36.390. Notice to director.
- ...AS 21.36.360 shall immediately send the director ...
- 1 Sec. 21.39.120. Examinations.
- ...the report shall immediately become and be ...
- 1 Sec. 21.51.110. Time of payment of claims.
- ...will be paid immediately upon receipt of ...
- ...will be paid immediately upon receipt of ...
- 1 Sec. 21.54.030. Required provisions of blanket policies.
- ...will be payable immediately upon receipt of ...
- ...will be paid immediately upon receipt of ...
- 1 Sec. 21.55.330. Effective date of policies.
- ...plan is effective immediately upon receipt of ...
- 1 Sec. 21.57.090. Premiums and refunds.
- ...the creditor shall immediately give written notice ...
- 1 Sec. 21.66.330. Examination of records.
- ...the director shall immediately examine the title ...
- 1 Sec. 21.69.040. Articles of incorporation.
- ...The incorporators shall immediately file one set ...
- 1 Sec. 21.75.230. Nonassessable policies.
- ...the director shall immediately revoke the certificate. ...
- 1 Sec. 21.75.270. Financial impairment; determination of insolvency.
- ...its attorney-in-fact shall immediately make up the ...
- 1 Sec. 21.78.090. Order of rehabilitation.
- ...The receiver shall immediately consider all litigation ...
- 1 Sec. 21.78.130. Conduct of delinquency proceedings against domestic and alien insurers.
- ...order the director immediately to take possession ...
- ...of the court, immediately proceed to conduct ...
- 1 Sec. 21.79.900. Definitions.
- ...will be called immediately or in the ...
- 1 Sec. 21.84.530. Injunction, liquidation, receivership of domestic society.
- ...the court, proceed immediately to close the ...
- 1 Sec. 21.84.535. Suspension, revocation, or refusal of license of foreign or alien society.
- ...The director shall immediately issue a written ...
- 1 Sec. 21.84.625. Service of process.
- ...the director shall immediately forward one of ...
- 1 Sec. 21.86.140. Protection against insolvency.
- ...the organization shall immediately redeposit \$100,000 for ...
- 1 Sec. 21.86.190. Suspension or revocation of certificate of authority.
- ...the organization shall, immediately following the effective ...
- 2 + Title 22. JUDICIARY
- 1 Sec. 22.20.020. Disqualification of judicial officer for cause.
- ...the district shall immediately transfer the action ...
- 1 Sec. 22.25.027. Regulations.
- ...or repealed, effective immediately, as an emergency ...
- 10 + Title 23. LABOR AND WORKERS' COMPENSATION
- 1 Sec. 23.05.140. Pay periods; penalty.
- ...services become due immediately and shall be ...
- ...resignation of employee immediately or within specified ...
- 1 Sec. 23.10.540. Investigation and conciliation of complaints.
- ...the investigator shall immediately try to eliminate ...
- 1 Sec. 23.20.135. Accounts and deposit.

- ...the department, shall immediately deposit, upon receipt, ...
- 1 ...23.20.140, shall be immediately deposited with the ...
- 1 Sec. 23.20.215. Notice and order to withhold and deliver.
- ...to the department immediately upon demand. The ...
- 1 Sec. 23.20.235. Jeopardy assessment.
- ...to enforce collection immediately. However, interest does ...
- 1 Sec. 23.20.276. Financing benefits paid to employees of nonprofit organizations; election.
- ...the 30-day period immediately following January 1, ...
- ...a like period immediately following the date ...
- ...than 30 days immediately following the date ...
- 1 Sec. 23.20.280. Eligible employer.
- ...calendar quarter which immediately precedes the effective ...
- 1 Sec. 23.20.285. Quarterly decline quotients.
- ...payroll, which quarter immediately follows a quarter ...
- 1 Sec. 23.30.095. Medical treatments, services, and examinations.
- ...the proceeding must immediately, or in any ...
- ...by the party immediately on the adverse ...
- 1 Sec. 23.30.105. Time for filing of claims.
- ...which becomes apparent immediately upon the occurrence ...
- ...did not go immediately to a doctor. ...
- 4 + Title 24. LEGISLATURE
- 1 Sec. 24.45.131. Examination of statements, reports.
- ...shall be notified immediately if ...
- 1 Sec. 24.55.020. Appointment of the ombudsman.
- ...legislature shall meet immediately in joint session ...
- 1 Sec. 24.55.270. Letters to or from ombudsman.
- ...shall be forwarded immediately, unopened, to the ...
- ...shall be delivered immediately, unopened, to the ...
- 1 Sec. 24.60.170. Proceedings before the committee; limitations.
- ...The committee shall immediately provide a copy ...
- ...the committee shall immediately notify the subject ...
- 11 + Title 25. MARITAL AND DOMESTIC RELATIONS
- 1 Sec. 25.05.041. Matters insufficient to render marriage voidable.
- ...to it have immediately thereafter assumed the ...
- 1 Sec. 25.23.050. Persons as to whom consent and notice not required.
- ...not have to immediately precede the adoption ...
- 1 Sec. 25.24.155. Reservation of issues.
- ...divide the property immediately, but to delay ...
- 1 Sec. 25.25.502. Employer's compliance with income withholding order of another state.
- ...obligor's employer shall immediately provide a copy ...
- 1 Sec. 25.27.062. Income withholding order for support.
- ...this chapter shall immediately send a copy ...
- ...of the state immediately upon receipt of ...
- ...withholding order shall immediately begin withholding the ...
- ...the employer shall immediately implement the order ...
- ...the agency shall immediately return the overpayment ...
- 1 Sec. 25.27.244. Adverse action against delinquent obligor's occupational license.
- ...licensing entity shall immediately serve notice under ...
- ...The agency shall immediately send a release ...
- ...the agency shall immediately send a release ...
- ...licensing entity shall immediately serve notice under ...
- 1 Sec. 25.27.246. Adverse action against delinquent obligor's driver's license.
- ...The agency shall immediately send a release ...
- ...the agency shall immediately send a release ...
- 1 Sec. 25.27.265. Method of service; notification of change of address.
- ...the party shall immediately notify the tribunal ...
- 1 Sec. 25.27.273. Reporting of payment information concerning delinquent obligors.
- ...the agency shall immediately notify all credit ...
- 1 Sec. 25.30.330. Temporary emergency jurisdiction.
- ...25.30.320 shall immediately communicate with the ...
- ...this section, shall immediately communicate with the ...
- 1 Sec. 25.30.450. Simultaneous proceedings.
- ...enforcing court shall immediately communicate with the ...
- 2 + Title 26. MILITARY AFFAIRS AND VETERANS
- 1 Sec. 26.20.045. Compensation for property seized under AS 26.20.040.

...the governor shall immediately have the owner ...  
...postage prepaid, and immediately have a copy ...  
1 Sec. 26.23.130. Compact terms.  
...compact becomes operative immediately upon its ratification ...

4 + Title 27. MINING

1 Sec. 27.21.100. Public information and inspection.  
...must be made immediately and conveniently available ...  
1 Sec. 27.21.140. Objection to application; informal conference.  
...The commissioner shall immediately provide a copy ...  
1 Sec. 27.21.230. Inspections and monitoring.  
...this chapter, shall immediately report the violation ...  
1 Sec. 27.21.240. Enforcement.  
...the commissioner shall immediately issue a notice ...  
...the permittee shall immediately cease the surface ...

29 + Title 28. MOTOR VEHICLES

1 Sec. 28.05.051. Suspended or revoked documents.  
...the document shall, immediately upon receiving notice ...  
1 Sec. 28.10.041. Grounds for refusing registration.  
...vehicle, it shall immediately notify the applicant ...  
1 Sec. 28.10.061. Registration of vehicles with altered or missing identification number.  
...the owner shall, immediately upon discovery, apply ...  
1 Sec. 28.10.091. Lost or mutilated certificates of registration or registration plates.  
...the department shall, immediately upon discovering the ...  
1 Sec. 28.10.181. Registration of unique and special vehicles and vehicles used for special purposes.  
...shall be returned immediately to the department ...  
1 Sec. 28.10.221. Refusal, suspension, and revocation of title.  
...shall be returned immediately to the department ...  
1 Sec. 28.10.251. Lost, stolen, or mutilated certificate of title.  
...been issued shall immediately surrender the duplicate ...  
1 Sec. 28.10.301. Transfer of motor vehicle to minor.  
...that person shall immediately deliver the certificate ...  
1 Sec. 28.10.351. Dismantling or wrecking vehicle.  
...registered vehicle shall immediately forward to the ...  
1 Sec. 28.11.030. Removal of abandoned vehicles.  
...shall be sent immediately to the department ...  
1 Sec. 28.15.051. Instruction permit, temporary driver's license and special driver's permit.  
...who accompanies and immediately supervises the driver ...  
1 Sec. 28.15.141. Duplicate driver's license.  
...been issued shall immediately surrender the duplicate ...  
1 Sec. 28.15.191. Court reports to department.  
...license, and shall immediately forward it to ...  
...license, and shall immediately forward to the ...  
1 Sec. 28.17.051. Refusal, suspension, or revocation of license.  
...shall be returned immediately to the department ...  
1 Sec. 28.20.120. Agreements for payment of damages.  
...the department shall immediately return the security ...  
1 Sec. 28.20.140. Termination of security requirement.  
...person, and shall immediately return the deposit ...  
1 Sec. 28.20.170. Authority of department to decrease amount of security.  
...shall be returned immediately to the depositor ...  
1 Sec. 28.20.250. Action in respect to unlicensed person.  
...previously given or immediately gives proof of ...  
1 Sec. 28.20.260. When proof required after accidents.  
...previously furnished' or immediately furnishes security required ...  
1 Sec. 28.20.270. Suspension for nonpayment of judgments.  
...the department shall immediately suspend the license ...  
1 Sec. 28.20.320. Exceptions when insurer liable.  
...by it, shall immediately suspend the license ...  
1 Sec. 28.20.340. Driving while license cancelled, suspended, or revoked.  
...the department shall immediately suspend the registration ...  
1 Sec. 28.20.370. Installment payment of judgments; default.  
...the department shall immediately suspend the license ...  
1 Sec. 28.20.560. Surrender of license and registration, and false affidavits.  
...or terminated, shall immediately return the person's ...  
...public safety, shall immediately direct a peace ...

- 1 Sec. 28.33.130. Out of service orders.  
...this section, shall immediately give the person ...  
...be ready to immediately operate a commercial ...
- 1 Sec. 28.33.140. Court disqualifications from driving a commercial motor vehicle.  
...license, and shall immediately forward the license ...
- 1 Sec. 28.35.070. Examination or impounding before repair.  
...officer, who shall immediately examine the vehicle ...
- 1 Sec. 28.35.080. Immediate notice of accident.  
...or more shall immediately by the quickest ...
- 1 Sec. 28.40.100. Definitions for title.  
...drawn upon or immediately over a highway ...

13 + Title 29. MUNICIPAL GOVERNMENT

- 1 Sec. 29.05.110. Incorporation election.  
...Boundary Commission shall immediately notify the director ...
- 1 Sec. 29.06.140. Election.  
...Boundary Commission shall immediately notify the director ...
- 1 Sec. 29.06.220. Review of petition.  
...it shall be immediately returned to the ...
- 1 Sec. 29.06.510. Election.  
...Boundary Commission shall immediately notify the director ...
- 1 Sec. 29.10.050. Charter commission election.  
...number of votes immediately organize as a ...
- 1 Sec. 29.20.140. Qualifications.  
...in the municipality immediately forfeits office. ...
- 1 Sec. 29.20.230. Election and term of mayor.  
...who takes office immediately. The mayor of ...  
...who takes office immediately and exercises the ...
- 1 Sec. 29.35.635. Validity of pledge.  
...the revenue is immediately subject to the ...
- 1 Sec. 29.45.030. Required exemptions.  
...of the year immediately following the installation ...
- 1 Sec. 29.45.050. Optional exemptions and exclusions.  
...this subsection are immediately due and the ...  
...tax payments are immediately due. The amount ...
- 1 Sec. 29.45.250. Rates of penalty and interest.  
...can pay them immediately under protest. AS ...
- 1 Sec. 29.45.440. Expiration.  
...to the municipality immediately on expiration of ...
- 1 Sec. 29.60.500. Purpose and policy.  
...release will be immediately available upon a ...

5 + Title 30. NAVIGATION, HARBORS, AND SHIPPING

- 1 Sec. 30.13.080. Validity of pledge.  
...an authority is immediately subject to the ...
- 1 Sec. 30.17.020. Membership of authority.  
...the governor shall immediately appoint a member ...
- 1 Sec. 30.17.230. Validity of pledge.  
...the authority is immediately subject to the ...
- 1 Sec. 30.30.040. Notice to owner.  
...a written notice immediately shall be posted ...
- 1 Sec. 30.30.100. Disposition of derelict vessel.  
...taken into custody immediately. Upon taking custody ...

3 + Title 32. PARTNERSHIP

- 1 Sec. 32.05.440. Effective date and duration of registration.  
...32.05.415 is effective immediately when the registration ...
- 1 Sec. 32.05.550. Resignation by registered agent.  
...The department shall immediately mail a copy ...
- 1 Sec. 32.06.955. Knowledge and notice.  
...partnership is effective immediately as knowledge by. ...

7 + Title 33. PROBATION, PRISONS, AND PRISONERS

- 1 Sec. 33.16.160. Change in parole conditions.  
...or new condition immediately, without a hearing. ...  
...parole officer shall immediately notify the board ...
- 1 Sec. 33.16.210. Discharge of parolee.  
...the board to immediately begin serving the ...
- 1 Sec. 33.16.240. Arrest of parole violator.

- ...the working day immediately following the arrest. ...
- 1 Sec. 33.16.250. Execution of warrant for arrest of parolee.  
...peace officer shall immediately notify the board ...
- 1 Sec. 33.30.111. Prerelease furloughs.  
...are obliged to immediately report to the ...
- 1 Sec. 33.30.141. Effect of violation of furlough conditions or failure to return.  
...the commissioner may immediately require the return ...
- 1 Sec. 33.36.010. Compact enacted.  
...shall be transmitted immediately to the officials ...
- 18 + Title 34. PROPERTY
- 1 Sec. 34.03.180. Wrongful failure to supply heat, water, hot water or essential services.  
...breach and may immediately ...
- 1 Sec. 34.03.200. Fire or casualty damage.  
... (1) immediately vacate the premises ...
- 1 Sec. 34.03.220. Noncompliance with rental agreement: Failure to pay rent.  
...rental agreement and immediately recover possession of ...
- 1 Sec. 34.03.310. Retaliatory conduct prohibited.  
...the purpose of immediately terminating for at ...
- 1 Sec. 34.03.340. Service of process.  
...plaintiff or petitioner immediately mails a copy ...
- 1 Sec. 34.07.220. Collection of unpaid common expenses from apartment owner.  
...services will be immediately severed and shall ...
- 1 Sec. 34.35.270. Commissioner of public safety as receiver.  
...from the receiver immediately. ...
- 1 Sec. 34.35.350. Commissioner of public safety as receiver.  
...from the receiver immediately. ...
- 1 Sec. 34.35.900. Acknowledgment of satisfaction.  
...shall be delivered immediately upon payment by ...
- 1 Sec. 34.45.010. Record of consignee or bailee.  
...or bailee shall immediately record a description ...
- 1 Sec. 34.45.020. Consignee's or bailee's notice to owner.  
...or bailee shall immediately notify the owner, ...
- 1 Sec. 34.45.070. Proceeds of sale.  
...or magistrate shall immediately pay the excess ...
- 1 Sec. 34.45.200. Stock and other intangible interests in business associations.  
...of abandonment ceases immediately upon the occurrence ...
- 1 Sec. 34.45.400. Action to establish claim.  
...The department shall immediately pay the amount ...
- 1 Sec. 34.55.010. Application for registration.  
...The subdivider shall immediately report a material ...
- 1 Sec. 34.55.014. Inquiry and examination.  
...the department shall immediately initiate an examination ...
- 1 Sec. 34.55.036. Service of process.  
...instituted by it, immediately sends a copy ...
- 1 Sec. 34.60.090. Relocation services.  
...person occupying property immediately adjacent to the ...
- 9 + Title 36. PUBLIC CONTRACTS
- 1 Sec. 36.05.035. Notification of contract awards.  
... (1) immediately notify the commissioner ...
- 1 Sec. 36.10.150. Determination of zone of underemployment.  
... (a) Immediately following a determination ...
- 1 Sec. 36.10.160. Preference for residents of economically distressed zones.  
... (a) Immediately following a determination ...
- 1 Sec. 36.10.170. Preference for economically disadvantaged minority residents.  
... (a) Immediately following a determination ...
- 1 Sec. 36.10.175. Preference for economically disadvantaged female residents.  
... (a) Immediately following a determination ...
- 1 Sec. 36.30.570. Notice of a protest.  
...procurement officer shall immediately give notice of ...
- 1 Sec. 36.30.595. Notice of a protest appeal.  
...procurement officer shall immediately give notice of ...
- 1 Sec. 36.30.620. Contract controversies.  
...matter shall be immediately referred to the ...
- 1 Sec. 36.30.645. Written determinations.  
...or otherwise furnished immediately to the debarred ...

- 4 + Title 37. PUBLIC FINANCE
  - 1 Sec. 37.10.087. Loans to bond construction funds.  
...section shall be immediately returned to the ...
  - 1 Sec. 37.10.230. Conflicts of interest.  
...the trustee shall immediately disclose the interest ...
  - 1 Sec. 37.10.240. Regulations and open meetings.  
...or repealed, effective immediately, as an emergency ...
  - 1 Sec. 37.13.110. Conflicts of interest.  
...the member shall immediately disclose the interest ...
- 5 + Title 38. PUBLIC LAND
  - 1 Sec. 38.05.035. Powers and duties of the director.  
...shall be deposited immediately in the general ...
  - 1 Sec. 38.05.075. Leasing procedures.  
...The commissioner shall immediately issue a receipt ...
  - 1 Sec. 38.05.120. Disposal procedure.  
...The commissioner shall immediately issue a receipt ...
  - 1 Sec. 38.05.128. Obstructions to navigable water.  
...water is reentered immediately below the obstacle ...
  - 1 Sec. 38.95.080. Trapping cabin construction permits.  
...have the permit immediately revoked and is ...
- 14 + Title 39. PUBLIC OFFICERS AND EMPLOYEES
  - 1 Sec. 39.25.160. Prohibitions generally.  
...political office shall immediately resign any position ...
  - 1 Sec. 39.25.197. Termination of nonpermanent employees.  
...the director shall immediately notify the head ...
  - 1 Sec. 39.25.900. Penalties.  
...under this chapter immediately forfeits the employee's ...
  - 1 Sec. 39.27.022. Pay increments for longevity in state service.  
...increment be implemented immediately. Alaska Pub. Employees ...  
...years should have immediately received the pay ...
  - 1 Sec. 39.35.042. Regulations.  
...or repealed, effective immediately, as an emergency ...
  - 1 Sec. 39.35.370. Retirement benefits.  
...such benefits vests immediately upon an employee's ...
  - 1 Sec. 39.35.400. Nonoccupational disability benefits.  
...notify the administrator immediately. ...
  - 1 Sec. 39.50.050. Administration and inspection.  
...commission staff should immediately notify the chief ...
  - 1 Sec. 39.50.090. Prohibited acts.  
...commission staff should immediately notify the chief ...
  - 1 Sec. 39.52.210. Declaration of potential violations by public employees.  
... (2) immediately disclose the matter ...
  - 1 Sec. 39.52.310. Complaints.  
...personnel board shall immediately notify the subject ...
  - 1 Sec. 39.52.335. Summary of disposition of complaints and review by personnel board.  
...attorney general shall immediately forward a copy ...
  - 1 Sec. 39.52.410. Violations; penalties for misconduct.  
...appointing authority shall immediately act to remove ...
  - 1 Sec. 39.52.430. Actions voidable.  
...chapter to become immediately payable. ...
- 8 + Title 41. PUBLIC RESOURCES
  - 1 Sec. 41.09.010. Exploration incentive credits.  
...debt that is immediately and unconditionally due, ...
  - 1 Sec. 41.15.090. Building or leaving fires.  
...clearing the ground immediately around it free ...
  - 1 Sec. 41.15.180. National forest income.  
...the commissioner shall immediately pay to each ...
  - 1 Sec. 41.17.118. Riparian standards for state land.  
...within 100 feet immediately adjacent to an ...  
...within 100 feet immediately adjacent to an ...
  - 1 Sec. 41.17.119. Minimum riparian standards for other public land.  
...within 100 feet immediately adjacent to an ...
  - 1 Sec. 41.17.138. Stop work orders.  
...state forester shall immediately refer the matter ...
  - 1 Sec. 41.21.131. Kachemak Bay State Park established.

- 1 ...Bay State Park immediately upon receipt of ...
- 1 Sec. 41.21.140. Kachemak Bay State Wilderness Park established.
- 1 ...Bay State Park immediately upon receipt of ...
- 4 + Title 42. PUBLIC UTILITIES AND CARRIERS
  - 1 Sec. 42.30.170. Notice and filing of killing or injury.
  - 1 ...or employee. shall immediately have a notice ...
  - 1 Sec. 42.30.400. Excavator's notice of proposed excavation.
  - 1 ...the excavator shall immediately notify each underground ...
  - 1 Sec. 42.30.410. Operator's response to request to locate; immunity related to unmarked or inaccurately marked facilities.
  - 1 ...the excavator shall immediately stop excavating in ...
  - 1 Sec. 42.40.670. Validity of pledge.
  - 1 ...or revenue are immediately subject to the ...
- 5 + Title 43. REVENUE AND TAXATION
  - 1 Sec. 43.10.170. Agent for service of process.
  - 1 ...economic development shall immediately notify the nonresident ...
  - 1 Sec. 43.20.270. Distraint on property.
  - 1 ...or agent shall immediately publish a notice ...
  - 1 Sec. 43.31.290. Superior court judge to furnish names of decedents.
  - 1 ...shall also furnish immediately further information, from ...
  - 1 Sec. 43.50.040. Expiration of licenses.
  - 1 ...the licensee shall immediately return the license ...
  - 1 Sec. 43.50.080. Returns.
  - 1 ...the licensee shall immediately file with the ...
- 11 + Title 44. STATE GOVERNMENT
  - 1 Sec. 44.19.155. Alaska Coastal Policy Council.
  - 1 ...appointment, to be immediately effective, for the ...
  - 1 Sec. 44.25.028. Conflicts of interest and required disclosures when duties relate to pension investments.
  - 1 ...or employee shall immediately disclose the interest ...
  - 1 Sec. 44.62.250. Emergency regulations.
  - 1 ...adopting agency shall immediately submit a copy ...
  - 1 Sec. 44.81.241. Initial notice of default.
  - 1 ...LOAN SHALL BE IMMEDIATELY DUE AND PAYABLE ...
  - 1 Sec. 44.81.243. Bank remedies after failure to cure.
  - 1 ...on the loan immediately becomes due and ...
  - 1 Sec. 44.81.247. Termination of permit interest.
  - 1 ...of the permit immediately upon receipt by ...
  - 1 Sec. 44.83.120. Validity of pledge.
  - 1 ...the authority shall immediately be subject to ...
  - 1 Sec. 44.85.350. Lien of pledge.
  - 1 ...bank authority are immediately subject to the ...
  - 1 Sec. 44.88.030. Membership of authority.
  - 1 ...the governor shall immediately appoint a member ...
  - 1 Sec. 44.88.085. Administrative procedure.
  - 1 ...section takes effect immediately upon its adoption ...
  - 1 Sec. 44.88.110. Validity of pledge.
  - 1 ...the authority shall immediately be subject to ...
- 10 + Title 45. TRADE AND COMMERCE
  - 1 Sec. 45.01.201. General definitions.
  - 1 ...the extension of immediately available credit whether ...
  - 1 Sec. 45.05.108. Issuer's rights and obligations.
  - 1 ...the applicant in immediately available funds not ...
  - 1 Sec. 45.29.522. Maintenance and destruction of records.
  - 1 ...the filing office immediately may destroy a ...
  - 1 Sec. 45.45.010. Legal rate of interest.
  - 1 ...as damages is immediately "due" in the ...
  - 1 ...as damages is immediately "due" in the ...
  - 1 ...had been compensated immediately for his loss. ...
  - 1 Sec. 45.45.530. Prohibited practices.
  - 1 ...agent or employee immediately discloses the purpose ...
  - 1 Sec. 45.55.940. Judicial review of orders.
  - 1 ...shall be served immediately upon the administrator, ...
  - 1 Sec. 45.55.980. Applicability of the chapter; service of process.
  - 1 ...by the administrator, immediately sends notice of ...
  - 1 Sec. 45.68.080. Substituted service.
  - 1 ...if the department immediately sends notice of ...

- 1 Sec. 45.70.020. Discharge from liability.  
...on it is immediately discharged from all ...
- 1 Sec. 45.75.230. Misrepresentation of price.  
...fraction shall be immediately adjacent to, of ...
- 11 + Title 46. WATER, AIR, ENERGY, AND ENVIRONMENTAL CONSERVATION
- 1 Sec. 46.03.110. Waste disposal permit procedure.  
...the commissioner shall immediately send copies of ...
- 1 Sec. 46.03.475. Reporting requirements.  
...AS 46.03.463 shall immediately report that discharge ...
- 1 Sec. 46.03.755. Discharge reporting.  
...or 46.03.750, shall immediately notify the department ...  
...a duty to immediately report that fact ...
- 1 Sec. 46.03.820. Emergency powers.  
...activity shall be immediately discontinued, abated, or ...  
...order is not immediately complied with, the ...
- 1 Sec. 46.03.865. Authority of department in cases of emergency.  
...comply with it immediately, but on application ...
- 1 Sec. 46.04.020. Removal of oil discharges.  
...of oil shall immediately contain and clean ...  
...pipeline shall (1) immediately contain and clean ...
- 1 Sec. 46.06.080. Littering prohibited.  
...or right-of-way shall immediately remove the object ...
- 1 Sec. 46.08.070. Reimbursement for containment and cleanup.  
...the commissioner, shall immediately seek to recover ...
- 1 Sec. 46.09.020. Containment and cleanup of a released hazardous substance.  
...the commissioner may immediately undertake the containment ...
- 1 Sec. 46.15.065. Determination of existing rights.  
...the commissioner shall immediately issue a certificate ...
- 1 Sec. 46.35.030. Master application.  
...the department shall immediately forward a copy ...
- 24 + Title 47. WELFARE, SOCIAL SERVICES AND INSTITUTIONS
- 1 Sec. 47.07.070. Payment to health facilities.  
...new rate is immediately necessary to afford ...
- 1 Sec. 47.10.080. Judgments and orders.  
...aid, it shall immediately order the minor ...
- 1 Sec. 47.10.085. Medical treatment by religious means.  
...life is not immediately endangered. 21 ALR5th ...
- 1 Sec. 47.10.141. Runaway and missing minors.  
...minor and shall immediately complete a missing ...  
...the peace officer, immediately upon taking a ...  
...or facility shall immediately notify the department ...  
...leaving will be immediately noticed. ...
- 1 Sec. 47.10.142. Emergency custody and temporary placement hearing.  
...the department shall immediately, and in no ...  
...The court shall immediately, and in no ...
- 1 Sec. 47.12.120. Judgments and orders.  
...delinquent, it shall immediately order the minor ...
- 1 Sec. 47.12.170. Enforcement of restitution.  
...the department shall immediately send the response ...
- 1 Sec. 47.12.240. Detention of minors.  
...is detained shall immediately make reasonable attempts ...
- 1 Sec. 47.12.250. Temporary detention and detention hearing.  
...this section shall immediately, and in no ...  
...The court shall immediately, and in no ...  
...the court shall immediately, and in no ...  
... Meaning of "immediately". - Delinquency Rule ...  
...inconsistent. The term "immediately" means the same ...  
...a modification of "immediately," but merely sets ...
- 1 Sec. 47.17.023. Reports regarding child pornography.  
...AS 11.41.455(a) shall immediately report this to ...
- 1 Sec. 47.17.025. Duties of public authorities.  
...enforcement agency shall immediately notify the department
- 1 Sec. 47.17.290. Definitions.  
... (6) "immediately" means as soon ...
- 1 Sec. 47.20.100. Individualized family service plan.

- 1 ...the profession most immediately relevant to the ...
- 1 Sec. 47.24.010. Reports of harm.  
...reporting person cannot immediately contact the department's ...
- 1 Sec. 47.24.015. Action on reports.  
...its designee, shall immediately terminate an investigation ...
- 1 ...its designee, shall immediately terminate an investigation ...
- 1 Sec. 47.30.540. Eligible local community entities.  
...notify the department immediately of emergency situations ...
- 1 Sec. 47.30.685. Request to leave; evaluation; 48-hour hold for commitment.  
...shall be evaluated immediately in writing and ...
- 1 ...writing and discharged immediately or given written ...
- 1 Sec. 47.30.700. Initiation of involuntary commitment procedures.  
...a judge shall immediately conduct a screening ...
- 1 Sec. 47.30.725. Commitment proceeding rights; notification.  
...respondent shall be immediately notified orally and ...
- 1 ...right to communicate immediately, at the department's ...
- 1 ...respondent's counsel shall immediately notify the court ...
- 1 Sec. 47.30.790. Unauthorized absences; return to facility; required notice.  
...patient's unauthorized absence immediately upon its discovery. ...
- 1 Sec. 47.33.030. Advance payments.  
...rent for the immediately following rental period ...
- 1 Sec. 47.35.023. Provisional license; biennial license.  
...child must be immediately placed, the department ...
- 1 ...the department shall immediately revoke the license ...
- 1 Sec. 47.35.085. Shelters for runaway minors.  
...action is effective immediately upon the issuance ...
- 1 Sec. 47.37.170. Treatment and services for intoxicated persons and persons incapacitated by alcohol or drugs.  
...service patrol and immediately brought to an ...