

ALASKA LEGISLATURE COMMITTEE FILES 1983-1986 86/2

4154 SJUD HB 493 1034



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Date

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# MEMORANDUM

# State of Alaska

TO: David Dierdorff  
Revisor of Statutes  
Legislative Affairs Agency

DATE: September 5, 1985

FILE NO:

TELEPHONE NO: 465-3600

FROM: Harold M. Brown  
Attorney General

SUBJECT: Alaska Women's  
Commission bill  
requests

By: Arthur H. Peterson  
Assistant Attorney General

As we discussed this morning, the Alaska Women's Commission has requested introduction of a great number of bills. The governor's office has asked me to see whether you would like to include 10 of those items in a revisor's bill. The commission's bill request forms and basic background information are attached for the following items:

1. separate residences;
2. name change provisions upon divorce or dissolution;
3. grounds for divorce;
4. out of wedlock children;
5. artificial insemination;
7. birth certificate preparation;
8. prostitution in liquor licensed facilities;
10. determination of partnership;
11. partner's interest in specific partnership property;
12. burial costs of needy persons.

The numbers in this list correspond with those used in the material that the commission recently submitted to the governor. They bear no necessary relationship to item numbers in the commission's May 1985 report "Review of the Alaska Statutes for Sex Discrimination" (upon which the requests are based).

At your earliest convenience, please let me know which of these items, if any, you would like to include in a revisor's bill. Thanks.

AHP:md

cc: Kathy Marshall, Executive Director  
Alaska Women's Commission  
3601 "C" Street, Suite 742  
Anchorage, AK 99503

1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#1

Separate Residences

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

Current state law AS 25.24.110 does not acknowledge the right of marriage partners to separate residences except if divorce proceedings have been instituted. Yet, the policy of this state and the view of the courts recognize the ability of men and women to act independently  
(continued on attached page)

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.)

COMMISSIONER'S SIGNATURE: Kathy Marshall, Executive Director

DATE: 7/25/85

Governor's Office recommendation:

SUBJECT: Separate Residences

SUMMARY (continued):

regardless of marital status.

This current law must be repealed and a provision added to the Human Rights Commission statute, AS 18.80.255 that affirms the state's policy. The new provision will allow any person the right to establish their own residence (home) and residency in the state regardless of their sex or marital status.



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## SEPARATE RESIDENCES

July 1985

### Background

Alaska law, AS 25.24.110, allows a spouse in an action for divorce to obtain a separate residence or domicile from that of the other spouse "without reference among other factors to misconduct or consent of the other spouse." This present statute was enacted in 1974 as an amended version of an earlier statute. The prior statute had provided that in divorce actions, "Wives may acquire a separate residence or domicile from that of the husband without reference among other factors to misconduct or consent of the husband."

Under the common law, the husband was considered the head of the household. In that role, the husband had the authority to choose the marital residence. As long as the husband's choice was reasonable, the wife was obliged to follow the husband and live under the circumstances her husband had chosen. Only if the marital unit had broken down was the wife free to establish her own separate domicile.

The present statute impliedly perpetuates this archaic common law rule. By specifically acknowledging the right to separate residences only when divorce proceedings have been instituted, the implication is that separate residences are not expressly sanctioned in the absence of divorce proceedings. Yet the stated policy of this state recognizes the ability of men and women to act independently regardless of marital status. (See Alaska Const. Art. I, §3 (Amend. 1972); AS 18.80.200.

### Recommended Legislative Action

AS 25.24.100 should be repealed and a new provision should be added to the Human Rights statute stating that anyone can establish a residence where ever he or she wants without regard to sex or marital status. The common law rule to the contrary would then be specifically nullified.

1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#2

Name Change Provisions Upon Divorce of Dissolution

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

There are two objectives which affect two different statutes concerned with name change provisions.

Objective 1: AS 09.55.010 gives the Superior Court jurisdiction

(continued on attached page)

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.)

COMMISSIONER'S SIGNATURE Larry Marshall Executive Director

DATE: 7/25/85

Governor's Office recommendation:

SUBJECT: Name Change Provisions Upon Divorce of Dissolution

SUMMARY (continued):

to change the name of a person following marriage or divorce. However, since this statute was enacted before dissolution of marriage was created, it fails to specify that name changes pursuant to dissolutions automatically meet with the public interest requirement as it does with marriage or divorce.

sk AS 09.55.010 should be amended to clarify that name changes during dissolutions automatically meet the public interest requirement.

Objective 2: AS 25.24.160(7) states that the judge in an action for divorce may "change the name of one of the parties." In dissolution proceedings brought by one spouse, the court is authorized to "restore that spouse's prior name, when so requested," pursuant to AS 25.24.230(b). When both spouses have brought the dissolution action, the court is authorized to "restore either spouse's prior name, if so requested." AS 25.24.230(e).

These statutes should be revised to achieve consistency in what type of name changes are permissible in divorce and dissolution proceedings. The divorce statute should be expanded to allow either or both parties to change names at divorce. Revise the dissolution statutes to allow for any change of name instead of an exclusive limitation of restoration of a prior name.



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## NAME CHANGE PROVISIONS UPON DIVORCE OR DISSOLUTION

July 1985

### Background

Various statutes address the ability of people to change their names upon divorce or dissolution of a marriage. Among these statutes unnecessary inconsistencies exist in providing name change privileges between these procedures for terminating a marriage.

### Dissolution

Alaska law, AS 09.55.010 gives the superior court jurisdiction to change the name of a person if there is a sufficient reason for the change "consistent with the public interest." The statute provides that "a change of name upon marriage or divorce" automatically meets this public interest requirement.

This statute was enacted before dissolution of marriage was created as an alternative procedure to divorce to terminate a marriage. This name change statute fails to specify that name changes pursuant to dissolutions should be presumed consistent with the public interest.

### Recommended Legislative Action

Amend AS 09.55.010 to clarify that name changes during dissolutions automatically meet the public interest requirement.

### Divorce and Dissolution

AS 25.24.160(7) states that the judge in an action for divorce may "change the name of one of the parties." In dissolution proceedings brought by one spouse, the court is authorized to "restore that spouse's prior name, when so requested," pursuant to AS 25.24.230(b). When both spouses have brought the dissolution action, the court is authorized to "restore either spouse's prior name, if so requested." AS 25.24.230(e). AS 25.24.210(d) specifies that the petition for dissolution "shall request...that the prior name of spouse be restored, if desired by that spouse."

These statutes would be consistent in setting forth what type of name changes are permissible in divorce and dissolution proceedings. Under present law, a new name can be adopted in a divorce proceeding. However, in a dissolution proceeding, only the prior name can be restored. In a divorce action, the court is authorized to change the name of only one of the parties. Where both spouses had changed their names at the time of marriage, such as by hyphenating together their surnames, the court is not specifically authorized to change both spouses' names in a divorce action. In a dissolution action, the court appears to have this power.

#### Recommended Legislative Action

Revise the name change statutes to achieve consistency. Expand the divorce statute. Revise the dissolution statutes to allow for any change of name instead of an exclusive limitation of restoration of a prior name.

Many men are changing their names at marriage and there would seem to be little risk to the public in allowing a name change by either spouse when a marriage terminates, whether to a prior name or to a totally new name.

1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

(#3) Grounds for Divorce

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

NO Repeal AS 25.24.050, except for Section (5) (c), with the result being that the sole ground for divorce would be incompatibility of temperament. The accessory statutes to the other grounds for

(continued on attached page)

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.)

COMMISSIONER'S SIGNATURE: Kathy Marshall Executive Director

DATE: 7/25/85

Governor's Office recommendation:

SUBJECT: Grounds for Divorce

SUMMARY (continued):

divorce should also be repealed -- AS 25.24.070, .120 and .130. The fault grounds do not seem to add anything to the law and are a source of inequity in occasional cases. The public policy of Alaska is to grant divorces when necessary without reference to fault, making it appropriate to repeal all of the grounds except for incompatibility of temperament.



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## GROUNDS FOR DIVORCE

July 1985

### Background

Alaska law, AS 25.24.050, sets out 10 different grounds for divorce. Only one of these grounds is a no-fault ground -- incompatibility of temperament. The other nine grounds all involve some sort of failure on the part of one of the parties. These grounds include adultery, conviction of a felony, and drug addiction.

Related to this statute are several other statutory provisions regarding the specific grounds for divorce. AS 25.24.070 provides that a confession of adultery is not alone sufficient to justify a divorce; additional evidence is required to obtain a divorce on this ground. AS 25.24.120 and .130 create several defenses to divorce, such as a defense of express forgiveness to a charge of adultery or conviction of a felony.

Although it is a rare divorce proceeding when any ground other than incompatibility is used, the threat of using the "fault" grounds is a very effective tool in a marriage riddled with unequal bargaining power. Many decisions in divorce discussions can be affected by threats of bringing evidence of fault grounds before the court, in spite of specific statutory provisions which indicate that such fault is irrelevant in the judge's decision-making.

### Recommended Legislative Action

Repeal AS 25.24.050, except for Section (5) (c), with the result being that the sole ground for divorce would be incompatibility of temperament. The accessory statutes to the other grounds for divorce should also be repealed -- AS 25.24.070, .120 and .130. The fault grounds do not seem to add anything to the law and are a source of inequity in occasional cases. The public policy of Alaska is to grant divorces when necessary without reference to fault, making it appropriate to repeal all of the grounds except for incompatibility of temperament.

1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

(#4) Out of Wedlock Children

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

Numerous statutes do not conform to the state's broadened concept of legitimacy (AS 25.20.050) which encompasses a child whose parents are ascertained in addition to children born to a marital or after-

(continued on attached page)

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.)

COMMISSIONER'S SIGNATURE: Lady Marshall, Executive Director

DATE: 7/25/85

Governor's Office recommendation:

SUBJECT: Out of Wedlock Children

SUMMARY (Continued):

arising marital relationships.

Objective 1: Adopt a statute similar to the Uniform Parentage Act to replace AS 25.20.050 in order to eliminate the classifications of "legitimate" and "illegitimate."

Objective 2: Amend AS 11.41.450 deleting the phrase "legitimately" or "illegitimately" from this statute criminalizing incest since it does not conform to the broadened concept of legitimacy nor does it affect the acts criminalized.

Objective 3: Amend AS 25.20.045 on artificial insemination by deleting the phrase "and legitimate" because it is unnecessary since the statute refers to a child born to a marital relationship.

Objective 4: Amend AS 25.20.060 deleting the phrase "regardless of the child's legitimacy" from the statute on Child Custody Proceedings. The phrase is inconsistent with the broadened definition and does not add to or limit either parents' rights in any way.

Objective 5: Amend statutes AS 25.05.052, .061 and .311 by deleting those portions of the statutes which purport to legitimize the children of an initially invalid marriage when the marriage is subsequently validated. These statutes use the term "legitimate" in its restrictive sense. Further, it is unnecessary since AS 25.20.050(a) legitimates a child when the putative parent subsequently marries the undisputed parent.

Objective 5: Amend AS 23.30.255, Worker's Compensation Benefits, deleting the phrase "or acknowledged illegitimate child" and substituting it with "child" includes "a child legitimated under AS 25.20.050" under the definition of child because it is self-contradictory since AS 25.20.050 states that an acknowledged child is legitimate.

## OUT OF WEDLOCK CHILDREN

July 1985



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### Background

Under Alaska law, AS 25.20.050, a procedure is established for identifying the parentage of children born out of wedlock when the parentage is disputed. Typically, the statute has relevance for establishing a man's paternity, since the natural mother of the child is nearly always undisputed. Under the statute, a parent who subsequently marries the undisputed parent, or who acknowledges in writing being a parent, or whose parent status is established in court, will be designated on the birth certificate of the child. The child will also become the legal heir of this parent and entitled to support from this parent during minority. The procedure to establish this parentage is termed "legitimation" and results in what the law terms a "legitimate child."

Until 1984, the statute employed sex-based terminology, and allowed solely for a determination of paternity. The recent amendment replaced this terminology with the sex-neutral term of "putative parent."

Although under the present statute a child need not be born to a married couple in order to be legitimized, this was not always the case. The original legitimation statute, enacted in 1949, allowed only subsequent intermarriage between the parents as the sole means to legitimate a child. However, under the present statute, the definition of a legitimate child has been expanded to encompass a child whose parents are ascertained in addition to children born to a marital or after-arising marital relationship.

Numerous state statutes, however do not fully conform to the broadened concept of legitimacy.

Incest. AS 11.41.450, criminalizes incest. The statute provides that this crime is committed when an adult "engages in sexual penetration with another who is related, either legitimately or illegitimately," in one of the specified relationships set out in the statute (i.e., brother and sister of the whole or half blood).

This statute uses the term "legitimacy" in its narrow sense, meaning in relation to marital status of the perpetrator of incest or the perpetrator's ancestors.

Recommended Legislative Action: The phrase "legitimately or illegitimately" should be deleted, as deletion would not affect in any apparent way the acts criminalized.

Artificial Insemination. Alaska law, AS 25.20.045, provides that:

A child, born to a married woman by means of artificial insemination performed by a licensed physician and consented to in writing by both spouses, is considered for all purposes the natural and legitimate child of both spouses.

The phrase "and legitimate" is unnecessary. A natural child of both spouses born during marriage is legitimate, making the phrase in the statute redundant.

Recommended Legislative Action: Delete the phrase "and legitimate" from AS 25.20.045.

Child Custody Proceedings. Alaska law, AS 25.20.060, deals with child custody proceedings. Section (b) of this statute provides that "[n]either parent, regardless of the question of the child's legitimacy, is entitled to preference in the awarding of custody."

Under AS 25.20.050, a child with two acknowledged parents disputing custody is, by definition, legitimate. AS 25.20.060 is using the term "legitimate" in its restricted sense, meaning children of a marriage, and is therefore inconsistent with section .050. Moreover, the phrase "regardless of the question of the child's legitimacy" does not add to or limit either parent's rights in any way.

Recommended Legislative Action: Delete the phrase "regardless of the question of the child's legitimacy" from AS 25.20.060. Its elimination may actually clarify that neither parent has a statutory preference in child custody determinations.

Invalid Marriages. Alaska laws, AS 25.05.052, .061 and .311 deal with invalid marriages. In each of these statutes is a provision which makes children of the marriage "legitimate" when the marriage is later validated.

These provisions all use the term "legitimate" in its restricted sense. Moreover, these statutes are all unnecessary since AS 25.20.050(a) legitimizes a child when the putative parent subsequently marries the undisputed parent.

Recommended Legislative Action: Delete those portions of the above three statutes which purport to legitimize the children of an initially invalid marriage when the marriage is subsequently validated.

Workers' Compensation Benefits. Alaska law, AS 23.30.255, contains a number of definitions for purposes of workers' compensation benefits. The term "child" is defined to include an "acknowledged illegitimate child dependent upon the deceased" employee.

The phrase "acknowledged illegitimate" child is self-contradictory. Under AS 25.20.050, an acknowledged child is legitimate.

Recommended Legislative Action: The phrase "or acknowledged illegitimate child" should be deleted, and the statutory definition amended as follows: "Child" includes "a child legitimated under AS 25.20.050."

#### Uniform Parentage Act

Another approach to addressing the elimination of the somewhat offensive and inappropriate terminology of "legitimate" and "illegitimate" would be to adopt a statute similar to the Uniform Parentage Act (UPA) to replace AS 25.20.050. Under the UPA, the parental filial relationships of mother and child is generally established by proof that the woman gave birth to a child. The UPA creates a rebuttable presumption that the parental-filial relationship exists between father and child if there were an attempted or actual marital relationship between the man and the mother, or an acknowledgment of paternity by the man, or a court order establishing paternity.

A number of other jurisdictions have adopted the UPA, and effectively eliminated use of the terminology. Alaska should also consider integrating the UPA into present state law.

1985 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#5

Artificial Insemination

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

Objective 1: Amend AS 25.20.045, Artificial Insemination, to recognize the right of a single woman or married woman in the absence of her husband's consent, to give birth by means of

(continued on attached page)

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.)

COMMISSIONER'S SIGNATURE: Lady Marshall, Executive Director

DATE: 7/25/85

Governor's Office recommendation:

SUBJECT: Artificial Insemination

SUMMARY (Continued):

artificial insemination. The current statute only permits a married woman who has obtained consent from her spouse to lawfully give birth by artificial insemination.

Objective 2: Amend AS 25.20.045, Artificial Insemination, to ensure that an anonymous sperm donor is protected from paternity obligations. Under the current statute, theoretically a paternity obligation could be imposed on a donor by establishing the natural parentage of a child in court proceedings.



## ARTIFICIAL INSEMINATION

July 1985

### Background

Alaska law, AS 25.20.045, provides that:

A child born to a married women by means of artificial insemination performed by a licensed physician and consented to in writing by both spouses, is considered for all purposes the natural and legitimate child of both spouses.

This statute does not recognize the right of a single woman, or married woman in the absence of her husband's consent, to give birth by means of artificial insemination. Further, the present statute offers no protection against paternity obligations of an anonymous sperm donor. Under present law AS 25.20.050, a paternity obligation could be imposed by establishing the natural parentage of a child in court proceedings.

### Recommended Legislative Action

AS 25.20.045 should be expanded to specifically recognize the right of a single woman, or married women in the absence of her husband's consent, to give birth by means of artificial insemination.

The statute should also ensure that an anonymous sperm-donor is protected from paternity obligations unless the donor and the woman agree in writing that the donor is the natural father.

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1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#7 Birth Certificate Preparation

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

yes  
Objective 1: Amend AS 18.50.160 (c) to remove the sex bias in the procedure for registering live births. The current language states that "when a birth occurs outside an

(continued on attached page)

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.):

COMMISSIONER'S SIGNATURE: Kathy Marshall, Executive Director

DATE: 7/25/85

Governor's Office recommendation:

SUBJECT: Birth Certificate Preparation

SUMMARY (Continued):

institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority: ... (3) the father, mother, or, in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurs."

Subparagraph (3) should be changed to read "a parent or, if a parent is unable, the person in charge of the premises where the birth occurs."

Objective 2: Delete AS 18.50.160(f) which gives the state registrar the discretion to treat birth certificates of children born to unmarried parents differently from married parents, although no apparent purpose is served by this provision.

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## BIRTH CERTIFICATE PREPARATION

July 1985

Alaska law, AS 18.50.160, contains several provisions addressing the preparation of birth certificates by the Bureau of Vital Statistics.

### Filing of Live Births

AS 18.50.160 sets out a procedure for registering live births. Section (c) states that "When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority: ... (3) the father, mother, or in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurs."

The father arguably has higher priority to file than the mother. Also, the father's potential absence is recognized while the mother's potential inability is recognized. No identifiable purpose is served by this sex-based discrimination.

### Recommended Legislative Action

Change subparagraph (3) to read "a parent or, if a parent is unable, the person in charge of the premises where the birth occurs."

### Children Born Out of Wedlock

Paragraph (f) of AS 18.50.160 provides that "In the case of a child born out of wedlock, the certificate of birth shall be filed in accordance with (a), (b), and (c) of this section unless the state registrar directs another procedure."

No apparent purpose is served by this provision which gives the state registrar the discretion to treat unmarried parents different from married parents.

### Recommended Legislative Action

Delete paragraph (f) of AS 18.50.160.

1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#8 Prostitution in Liquor Licensed Facilities

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

Amend AS 04.11.370 (7) which authorizes the Alcoholic Beverage Control Board to suspend or revoke a liquor license if the Board finds that the licensed premises are "a resort for...prostitutes, or pimps."

The term "pimp" is gender based and should be replaced with the phrase "promoters of prostitution."

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.)

COMMISSIONER'S SIGNATURE: Lethy Mitchell Executive Director

DATE: 7/25/85

Governor's Office recommendation:



## PROSTITUTION IN LIQUOR LICENSED FACILITIES

July 1985

### Background

Alaska law, AS 04.11.370(7), authorizes the Alcoholic Beverage Control Board to suspend or revoke a liquor license if the Board finds that the licensed premises are "a resort for ... prostitutes, or pimps."

Former AS 11.40.420 (repealed in 1978) defined a pimp as "a male person" who "lives upon or receives the earnings of a prostitute" or is involved with prostitution in other specified ways. The present criminal code makes promoting prostitution a crime regardless of the sex of the promoter. AS 11.65.100 et seq. The liquor licensing statute discriminates on the basis of sex by continuing to use the term "pimps."

### Recommended Legislative Action

Replace "pimps" with "promoters of prostitution" in AS 04.11.370(7).

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1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#10 Determination of Partnership

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

Amend AS 32.05.020 (4) (c) by replacing gender based term "widow" with the term "surviving spouse." The statute inappropriately presumes men, but not women will enter into partnerships.

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.);

COMMISSIONER'S SIGNATURE: Lindy Marshall, Executive Director

DATE: 7/25/85

Governor's Office recommendation:



## DETERMINATION OF PARTNERSHIPS

July 1985

### Background

Alaska law, AS 32.05.020, sets out rules for determining when a person is considered to have entered into a partnership with other persons. Subsection (4) provides that:

The receipt by a person of a share of the profits of a business is prima facie evidence that he is a partner in the business, but no such inference shall be drawn if such profits were received in payment

(C) as an annuity to a widow or representative of a deceased partner.

"Widow" is defined as "a woman whose husband is dead, and who is not remarried. The corresponding term for a male surviving spouse is "widower," but is not addressed by the statute. The statute inappropriately presumes men, but not women, will enter into partnerships.

### Recommended Legislative Action

Replace "widow" with "surviving spouse." In addition, the use of the personal pronoun "he" should be eliminated.

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1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#11 Partner's Interest in Specific Partnership Property

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

Amend AS 32.05.200 (b) (5) to remove archaic legal terminology that is no longer recognized in Alaska law, "dower" and "curtesy." Further, gender based reference to "widows" should be deleted and replaced with gender neutral term "surviving spouse."

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.):

COMMISSIONER'S SIGNATURE: Larry Masland, Executive Director

DATE: 7/25/85

Governor's Office recommendation:



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## PARTNER'S INTEREST IN SPECIFIC PARTNERSHIP PROPERTY

### Background

Alaska law, AS 32.05.200, describes the nature of a partner's interest in specific property owned by the partnership. Basically, the partner has no rights to specific property owned by the partnership. The partner's rights are in the partnership itself, and defined by statute as an interest in the profits and surplus of the partnership.

In describing the partner's lack of interest in specific partnership property, AS 32.05.200(b)(5) provides that "a partner's right in specific partnership property is not subject to dower, curtesy, or allowances to widows, heirs or next-of-kin."

The terms "dower" and "curtesy" are antiquated legal doctrines which provided for disinherited spouses. The doctrine of dower accorded a surviving female spouse the right to one-third of all lands owned by the husband for the rest of the wife's life. Curtesy accorded a similar right to a surviving husband, provided that the couple had children born to them which might inherit the estate. No similar requirement conditioned the woman's right to dower. The statute refers only to allowances to widows, a sex-differentiated term.

Dower and curtesy have been abolished in Alaska. Sex-neutral terms have been adopted to establish the rights of surviving spouses in probate law.

### Recommended Legislative Action

Subsection (5) of AS 32.05.200(b) should be amended to remove the archaic and sex-differentiated terminology.

1986 LEGISLATIVE PROPOSAL REQUEST FORM

DATE: 7/25/85

DEPARTMENT Office of the Governor, Alaska Women's Commission

SUBJECT OF PROPOSED BILL:

#12 Burial Costs of Needy Persons

SUMMARY/EXPLANATION OF INTENT: (Why is legislation requested. Explain need. Attach additional sheet, if necessary.)

Amend AS 47.25.230 to remove sex bias in determining who shall pay the cost of burial of a needy person. The current statute sets responsibility to the father before the mother, the grandfather before the grandmother and the brother before the sister. The statute should be rewritten using gender neutral terms "parents, grandparents, grandchildren or siblings."

ESTIMATED FISCAL IMPACT: None

Capital:

Operating:

Has this or a substantially similar bill been introduced (and not passed) in the Legislature in previous session? Has it been drafted but not introduced? (If so, please attach copy of approved draft and give Department of Law file no.: 377 - \_\_\_\_\_ - \_\_\_\_\_.)

Why wasn't it passed: NA

Rate the bill's importance to the department by priority number (in relationship to your department's other requests if any.)

COMMISSIONER'S SIGNATURE: Kathy Marshall Executive Director

DATE: 7/25/85

Governor's Office recommendation:



## BURIAL COSTS OF NEEDY PERSONS

July 1985

### Background

Alaska law, AS 47.25.230, provides that "[e]very needy person shall be supported while living, and upon dying, shall be given a decent burial by the spouse, children, father, mother, grandfather, grandmother, grandchildren, brothers or sisters of the needy person, if they, or any of them, have the ability to do so, in the order named."

The problem with this provision is in the last clause -- "in the order named." The statute makes the father of a needy person liable for support and burial expenses before the mother, the grandfather prior to the grandmother, and the brothers before the sisters. The sex discrimination is self-evident.

### Recommended Legislative Action

Revise the sentence by replacing "father, mother, grandfather, grandmother..." with "parents, grandparents, grandchildren or siblings..."

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# MEMORANDUM

# State of Alaska

TO: Honorable Emil Notti  
Commissioner  
Department of Community &  
Regional Affairs

DATE: October 10, 1985

FILE NO: 366-075-86

TELEPHONE NO: 465-3600

FROM: Harold M. Brown  
Attorney General

SUBJECT: Municipality eligi-  
bility for municipal  
assistance under ch.  
90, SLA 1985

By: Susan D. Cox *SDC*  
Assistant Attorney General  
Governmental Affairs-Juneau

## I. QUESTION AND SHORT ANSWER

You have asked whether Metlakatla is eligible to receive municipal assistance in fiscal year 1986 under ch. 90, SLA 1985, in light of an apparent conflict with ch. 74, SLA 1985 (the Municipal Code revision). We have concluded that chs. 74 and 90 can be read in harmony and should both be given effect. Consequently, any municipality that qualifies under the terms of ch. 90, SLA 1985 is eligible to receive municipal assistance.

## II. BACKGROUND

Before this year's legislative session, certain statutory provisions for municipal assistance were located in AS 43.20.016. The municipal assistance fund was set up in the Department of Revenue (DOR) (AS 43.20.016(a)), from which organized boroughs and cities received municipal assistance money. Distribution from the fund was done according to a statutory formula which could vary depending on the level of legislative appropriation to the fund and the municipality's population. AS 43.20.016(a), (b), and (c). Municipalities organized under federal law were not entitled to receive municipal assistance from this fund because AS 43.20.016 applied only to municipalities created under state law. Communities other than cities and boroughs organized under state law were, however, entitled to aid from another source under AS 29.89.050. A variety of municipal assistance and revenue sharing programs, administered by the Department of Community and Regional Affairs (DCRA), were established in AS 29.88, AS 29.89, and AS 29.95.

Representative Goll introduced a bill in the first session of the 14th Alaska State Legislature to expand the definition of municipalities qualified to receive money from the municipal assistance fund: HB 198. 1/ In its final form, HB 198

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1/ Throughout this memorandum, when we refer to bills it will be by their original designation, for simplicity's sake. We recognize that all of the bills mentioned here were amended to varying degrees before final passage. When we refer to the bills after enactment, we will use their session law chapter reference.

amended AS 43.20.016 by substituting any reference to "organized boroughs and cities" with the more general term "municipalities." A new subsection was added to AS 43.20.016 to define municipality as not only a city or borough organized under state law, but also as "a municipality organized under the federal law as an Indian reserve that existed before enactment of 43 U.S.C. 1618(a) and is continued in existence under that subsection." A new provision establishing the base amount of assistance for a municipality organized under federal law was added to AS 43.20.016(b). A municipality organized under federal law was also required by new AS 43.20.016(e) to perform certain acts before qualifying to receive assistance. The effective date of this bill was July 1, 1985.

Meanwhile, for many years DCRA and others had supported the wholesale revision of Title 29, the Municipal Code. As he had done in the past, the governor introduced a bill to accomplish that end in the first session of the 14th legislature: HB 72. The bill not only rewrote various sections of Title 29, but reorganized and renumbered them as well. The various provisions regarding state aid to municipalities and revenue sharing found in AS 29.88, AS 29.89, and AS 29.95 were united in a single chapter, new AS 29.60 (state programs), with minor alterations. Administration of the municipal assistance fund was transferred from DOR to DCRA. New AS 29.60.350. The substance of AS 43.20.016(a) -- (d) was set out in new AS 29.60.350 -- 29.60.370, otherwise basically unchanged. Because the substance of AS 43.20.016 was incorporated in new AS 29.60, the bill repealed AS 43.20.016. HB 72 carried an effective date provision of January 1, 1986.

Both HB 72 and HB 198 were passed by the first session of the 14th Alaska State Legislature, and signed into law by the governor, as chs. 74 and 90 of the 1985 session laws, respectively. Chapter 74 repeals AS 43.20.016 effective January 1, 1986. Secs. 88 and 90, ch. 74, SLA 1985. Although it continues the municipal assistance fund 2/ (in a different department and under a new series of statute numbers), it does not expressly contain the substance of the amendments to municipal assistance eligibility that were enacted by ch. 90, SLA 1985. The question then is whether the HB 198 amendments to the municipal assistance fund statute (ch. 90, SLA 1985) that were enacted in the same legislative session as HB 72 (ch. 74, SLA 1985) are repealed by HB 72 or whether they should instead be incorporated into the new Title 29.

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2/ Sec. 16, ch. 74, SLA 1985.

### III. LEGAL ANALYSIS

We have not found a case where an Alaska appellate court has considered this precise situation; however, several supreme court and court of appeals decisions are instructive. In a number of instances the courts have been called upon to construe apparently conflicting statutes, where one party has argued that by passing an Act on the same subject in a subsequent session, the legislature intended by implication to repeal previously enacted law. Pena v. State, 664 P.2d 169 (Alaska App. 1983); Hafling v. Inlandboatmen's Union of Pacific, 585 P.2d 870 (Alaska 1978); Warren v. Thomas, 568 P.2d 400 (Alaska 1977); Peter v. State, 531 P.2d 1263 (Alaska 1975). The court's approach to this problem primarily rests on an analysis of legislative intent:

We shall look to the purpose indicated by the legislature in passage of an act in our effort to determine whether the new enactment is intended to repeal a prior one. If enforcement of the prior statute is in irreconcilable conflict with such purpose, it will be held to have been impliedly repealed.

Peter v. State, 531 P.2d at 1268. The court later affirmed this position, stating, "The implied repeal of an act is disfavored and will be limited to that which is necessary to carry out the intent of the legislature." Pena v. State, 664 P.2d at 175; Warren v. Thomas, 568 P.2d at 876, n.20 ("Legislative intent is the key..."). This position is consistent with that taken by the federal courts and the U.S. Supreme Court:

[W]e decline to read the statutes as being in irreconcilable conflict without seeking to ascertain the actual intent of Congress. Our examination of the legislative history is guided by another maxim: "'repeals by implication are not favored.'" "The intention of the legislature to repeal must be 'clear and manifest.'" We must read the statutes to give effect to each if we can do so while preserving their sense and purpose.

Watt v. Alaska, 451 U.S. 259, 266-267 (1980) (citations omitted); see also Preston v. Heckler, 734 F.2d 1359, 1367-1368 (9th Cir. 1984).

Although these cases show how courts approach a similar statutory construction problem, none of these decisions deal with

a possible conflict between acts of the same legislative session. The applicable rule in that situation is best expressed in the Sutherland treatise on statutory construction:

If the same legislative session enacts two or more acts on the same subject they are presumed to have been actuated by the same policy and intended to have effect together. The rules of construction and interpretation of acts in pari materia apply with singular force to enactments promulgated by the same legislative body, and this strengthens the presumption against implied repeals. ... The enactment of ... two statutes upon the same subject at the same session was held to be an indication of the intent of the legislature that both acts should have concurrent operation. Other courts have eschewed a mechanical approach to the problem of resolving conflict between statutes enacted by the same legislative authority, and have sought to give effect to the legislative intent irrespective of the chronology of different enactments.

In the absence of an irreconcilable conflict between two acts of the same session, each will be construed to operate within the limits of its own terms in a manner not to conflict with each other.

1A N. Singer, Sutherland Statutory Construction § 23.17 at 378 (4th ed. 1985) (emphasis added).

Both chs. 74 and 90 concurrently amend the law on municipal assistance. Ch. 74 moves the substance of AS 43.20.016 to a new chapter on state aid in AS 29.60. Its major substantive change to AS 43.20.016 is to transfer the municipal assistance fund from DOR to DCRA. Chapter 74 repeals AS 43.20.016 as a matter of form because its provisions have been simultaneously relocated in AS 29.60.350 -- 29.60.370. It does not abolish the program of municipal assistance that was set up by AS 43.20.016. Meanwhile, ch. 90 revises the substance of AS 43.20.016 to expand the definition of a municipality qualifying for money from the municipal assistance fund. These Acts do not irreconcilably conflict with each other. It is of no consequence that ch. 74 repeals AS 43.20.016, the statute that ch. 90 amends, because ch. 74 does not repeal the substance of AS 43.20.016, it simply moves it. This conclusion is bolstered by the fact that both Acts were passed by the legislature within days of each other and there is no evidence that the legislature intended ch. 74 to repeal ch. 90.

As has been noted above, some version of a bill revising and reorganizing Title 29 has been introduced in each of the last several sessions of the legislature. This year the bill began as HB 72, introduced in the House on January 16. Many other pieces of legislation directly affecting the municipal code were also introduced this session; of these, four passed. HB 226, SB 190, SB 270, and HB 253 were first introduced on February 22, February 26, April 3, and March 1, 1985, respectively. HB 198 was introduced on February 15. The movement of these bills through committees in each house crisscrossed and overlapped; no bill was clearly first or last in consideration.

All six of these pieces of municipal legislation ultimately passed within a three-day period at the close of the first session of the 14th Alaska State Legislature: between May 9 and 12, 1985. They were each transmitted to the governor between May 10 and May 15. The governor signed HB 72 on June 2 (ch. 74), HB 226 also on June 2 (ch. 73), HB 198 on June 3 (ch. 90), and SB 190, SB 270, and HB 253 on June 5 (chapters 91, 92, and 103, respectively).

None of the substance of the five smaller municipal bills was incorporated into the massive Title 29 revision. Instead, the legislature opted to consider each bill individually, rather than tacking any onto another bill. The reason for this is rather apparent. The sponsors of the smaller bills did not want to have them subsumed by HB 72 for fear that the large bill would not pass, as it had not for several years. Conversely, proponents of HB 72 did not want to see it laden with controversial amendments that could doom the bulk revision. There is no evidence that the legislature did not intend all of its legislation to be given effect, if enacted.

Because ch. 74 reorganized Title 29 and renumbered its sections, virtually all of the old section numbers that chapters 73, 90, 91, 92, and 103 amend have been repealed by ch. 74. However, as long as Title 29 maintains the substance of the repealed sections under some new section number, and the substance of ch. 74 does not irreconcilably conflict with the amendments in chapters 73, 90, 91, 92, and 103, all of the municipal legislation of this most recent session should be construed together, as Sutherland states.

It may be argued that, because the legislature passed ch. 74 after ch. 90, ch. 74 repeals the municipal assistance fund amendments made by ch. 90. The dates of passage do not alter the general rule that Acts passed on the same subject in the same session are to have effect together, where they do not irrecon-

Hon. Emil Notti, Commissioner  
Department of Community  
and Regional Affairs

October 10, 1985  
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cilably conflict. Sutherland, § 23.17. Only where there is an irreconcilable conflict does the later legislation repeal the earlier legislation to the extent of the conflict in their terms. Id. Furthermore, there appears to be some confusion among courts and writers as to whether the critical time is passage or enactment. Id. In this case, the House concurred in the Senate's amendments to HB 198 two days before it did the same for HB 72, but HB 72 was enacted (as ch. 74) one day before HB 198 (as ch. 90).

The effective dates of the municipal legislation of this session likewise do not affect our analysis: ch. 92 -- June 6, 1985; ch. 90 -- July 1, 1985; ch. 73 -- August 31, 1985; and chapters 74, 91, and 103 -- January 1, 1986. Even in cases where bills of the same session irreconcilably conflict with each other, it is always the date of passage or enactment that controls statutory construction, not the time of taking effect. Id. Moreover, even if the legislature had intended ch. 90 to be in force only from July 1, 1985 to January 1, 1986, when ch. 74 would repeal it, the legislature could have expressly indicated its intention to have this result.

Based on the foregoing analysis, we conclude that the amendments to municipal assistance accomplished by ch. 90, SLA 1985 must be incorporated into sec. 16, ch. 74, SLA 1985. This result is necessary to effectuate the intent of the legislature and is based on sound principles of statutory construction.

SDC/pjg

cc: Marty Rutherford, Director  
DCRA, Municipal & Regional  
Assistance Div. -- Anchorage

Douglas Griffin  
Jim Plasman  
DCRA, MARAD -- Juneau

David Dierdorff, Esq.  
Revisor of Statutes  
Legislative Affairs Agency

Tamara Cook, Esq.  
Legislative Legal Counsel  
Legislative Affairs Agency

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# MEMORANDUM

# State of Alaska

DIVISION OF PARKS  
AND OUTDOOR RECREATION

DEPARTMENT OF NATURAL RESOURCES  
TO David Dierdorff  
Revisor of Statutes  
Legislative Legal Council  
Division of Legal Services

DATE: January 2, 1986

FILE NO:

TELEPHONE NO: 465-2400

SUBJECT: Alaska Chilkat  
Bald Eagle Preserve

*James H. Bennett*  
The Honorable Esther C. Wunnicke  
FROM Commissioner  
*Neil C. Johannsen*  
Director

Attached are corrections to a portion of the legislation establishing the Alaska Chilkat Bald Eagle Preserve.

After final passage of AS 41.20.507 (now AS 41/21/611), several discrepancies were discovered in the legal description. The corrections will not change the intent of the original legislation, but rather correct discrepancies in the legal description according to accepted land description practices.

The Eagle Preserve legislation was written according to a reference map. When the legal description was written, correct land description notations were not utilized in defining the river, portions of previously surveyed land, and one mapped section of land was inadvertently left out of the description.

At the January, 1983 Eagle Preserve Advisory Council meeting, an explanation and presentation was made to request changes to correct the legal description. The Eagle Preserve Advisory Council and Department of Natural Resources review has concluded that these changes are valid and in keeping with the legislative intent and documentation.

Therefore, I request that these corrections be incorporated into your 1986 revisor's bill. The corrected legal description is being forwarded to you as an attachment to this memo. In the corrected version, where underlined words or phrases appear, those items are proposed for addition to the legislation currently in effect. Where brackets and capitalization appear, those items are proposed for deletion from the current effective legislation.

attachments

ALASKA STATE PARKS --

 on the Map!

- DNR - CHILKAT EAGLE PRESERVE -

(k) Except for University of Alaska grant land, the land and water owned by the state and all land and water acquired by the state in the future lying within the following described parcels are designated as the Alaska Chilkat Bald Eagle Preserve:

- (1) Township 26 South, Range 55 East, Copper River Meridian
  - Section 12: that portion within USS 3708
  - Section 13: that portion within USS 3708
  - Section 23:  $SE\frac{1}{2}NE\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}$ ,  $E\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  $S\frac{1}{2}SE\frac{1}{2}$
  - Sections 24 and 25
  - Section 26:  $E\frac{1}{2}$
  - Section 33:  $SE\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$
  - Section 34:  $E\frac{1}{2}NE\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}NE\frac{1}{2}$ ,  $SE\frac{1}{2}NE\frac{1}{2}SW\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}SW\frac{1}{2}$ ,  
 $SW\frac{1}{2}SW\frac{1}{2}SW\frac{1}{2}$ ,  $SE\frac{1}{2}SW\frac{1}{2}$ ,  $SE\frac{1}{2}$
  - Section 35
  - Section 36:  $NE\frac{1}{2}NW\frac{1}{2}NE\frac{1}{2}$ ,  $W\frac{1}{2}W\frac{1}{2}NE\frac{1}{2}$ ,  $NW\frac{1}{2}$ ,  $N\frac{1}{2}SW\frac{1}{2}$ ,  $N\frac{1}{2}SW\frac{1}{2}SW\frac{1}{2}$ ,  
 $SW\frac{1}{2}SW\frac{1}{2}SW\frac{1}{2}$ ,  $NW\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$ ,  $NW\frac{1}{2}SE\frac{1}{2}$
- (2) Township 26 South, Range 56 East, Copper River Meridian
  - Section 7:  $SW\frac{1}{2}NE\frac{1}{2}$ , [ $S\frac{1}{2}NW\frac{1}{2}$ ,]  $S\frac{1}{2}$  and that portion of the  
 $S\frac{1}{2}NW\frac{1}{2}$  within USS 3708
  - Section 8:  $SE\frac{1}{2}SW\frac{1}{2}NW\frac{1}{2}$ ,  $SE\frac{1}{2}NW\frac{1}{2}$ ,  $SW\frac{1}{2}$ , that portion of the  
 $S\frac{1}{2}NE\frac{1}{2}$  within USS 3708
  - Section 17:  $W\frac{1}{2}NW\frac{1}{2}$
  - Section 18
  - Section 19:  $W\frac{1}{2}$ ,  $SW\frac{1}{2}SE\frac{1}{2}$
  - Section 30:  $NE\frac{1}{2}NW\frac{1}{2}NE\frac{1}{2}$ ,  $W\frac{1}{2}NW\frac{1}{2}NE\frac{1}{2}$ ,  $NW\frac{1}{2}$ ,  $W\frac{1}{2}SW\frac{1}{2}$
- (3) Township 27 South, Range 55 East, Copper River Meridian
  - Section 2:  $NW\frac{1}{2}$ ,  $W\frac{1}{2}NE\frac{1}{2}SW\frac{1}{2}$ ,  $NW\frac{1}{2}SW\frac{1}{2}$ ,  $N\frac{1}{2}SW\frac{1}{2}SW\frac{1}{2}$ ,  $SW\frac{1}{2}SW\frac{1}{2}SW\frac{1}{2}$ ,  
 $NW\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$ , except USS 3744
  - Section 3
  - Section 4:  $NE\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$ ,  $S\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}NE\frac{1}{2}$ ,  $SE\frac{1}{2}NE\frac{1}{2}$ ,  
 $E\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$ ,  $SE\frac{1}{2}$
  - Section 8:  $SE\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$ ,  $S\frac{1}{2}S\frac{1}{2}SE\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$
  - Section 9:  $E\frac{1}{2}$ ,  $E\frac{1}{2}NW\frac{1}{2}$ ,  $N\frac{1}{2}NE\frac{1}{2}SW\frac{1}{2}$ ,  $SE\frac{1}{2}NE\frac{1}{2}SW\frac{1}{2}$ ,  $NW\frac{1}{2}SW\frac{1}{2}SW\frac{1}{2}$ ,  
 $S\frac{1}{2}S\frac{1}{2}SW\frac{1}{2}$
  - Section 10:  $W\frac{1}{2}W\frac{1}{2}NE\frac{1}{2}$ ,  $W\frac{1}{2}$

Section 15: NW $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$ , SW $\frac{1}{2}$ NE $\frac{1}{2}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{2}$

Section 16: E $\frac{1}{2}$ , NW $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ , NW $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$

Section 17: N $\frac{1}{2}$ NE $\frac{1}{2}$ , NE $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ , SE $\frac{1}{2}$ NE $\frac{1}{2}$ , E $\frac{1}{2}$ NE $\frac{1}{2}$ NW $\frac{1}{2}$ ,  
N $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$

Section 21: E $\frac{1}{2}$ , E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{2}$ , SW $\frac{1}{2}$ SE $\frac{1}{2}$ NW $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$

Section 22: SW $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ , W $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{2}$

Section 26: NW $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$ , SW $\frac{1}{2}$ NW $\frac{1}{2}$ , W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{2}$ , W $\frac{1}{2}$ SW $\frac{1}{2}$

Section 27

Section 28: E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$

Section 33: N $\frac{1}{2}$ NE $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ , NW $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ , SE $\frac{1}{2}$ NE $\frac{1}{2}$ , E $\frac{1}{2}$ NE $\frac{1}{2}$ NW $\frac{1}{2}$ ,  
NE $\frac{1}{2}$ SE $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$

Section 34

Section 35: NW $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$ , SW $\frac{1}{2}$ NE $\frac{1}{2}$ , NW $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ ,  
S $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{2}$

Section 36: W $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$

(4) Township 28 South, Range 55 East, Copper River Meridian

Section 1: S $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ , SW $\frac{1}{2}$

Section 2

Section 3: NE $\frac{1}{2}$ , N $\frac{1}{2}$ NW $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ , SE $\frac{1}{2}$ NW $\frac{1}{2}$ , NE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ ,  
N $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ SE $\frac{1}{2}$

Section 4: E $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$

Section 10: that portion of Mosquito Lake within the NE $\frac{1}{2}$

Section 11: N $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ , NE $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ SE $\frac{1}{2}$ , except USS 3431

Section 12

Section 13: E $\frac{1}{2}$ , NE $\frac{1}{2}$ NW $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$ , NW $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$ , NW $\frac{1}{2}$ SE $\frac{1}{2}$ NW $\frac{1}{2}$ ,  
E $\frac{1}{2}$ SE $\frac{1}{2}$ NW $\frac{1}{2}$

[SECTION 15: THAT PORTION OF MOSQUITO LAKE]

Section 19: Lot 13

Section 24: E $\frac{1}{2}$ E $\frac{1}{2}$ , NE $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$

Section 25: except that portion north of the Haines Highway

[LOTS 9-11 AND 16]

Section 26: that portion [OF LOT 5 AND NE $\frac{1}{2}$ NW $\frac{1}{2}$ ] south of the

Haines Highway, except [AND] Lots 2, 3, and SW $\frac{1}{2}$ SW $\frac{1}{2}$

[1, 12, AND 17]

Section 27: that portion south of the Haines Highway except  
S $\frac{1}{2}$ S $\frac{1}{2}$  [LOTS 5-8, 10, 13, 18, 19, AND 22]

Section 28: [,] except S $\frac{1}{2}$ S $\frac{1}{2}$ , the south 660 feet of Lots 5-7,  
and that portion north of the Haines Highway

Section 29: [,] except S $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$ , NE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , and Lots 9, 14, 15,  
and 18

Section 30: E $\frac{1}{2}$ NE $\frac{1}{2}$ , N $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$  [LOT 11, AND LOT 6 EXCEPT THE  
SOUTH 660 FEET]

Section 33: SE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$  [S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ ]

Section 34: S $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$

Section 35: except NW $\frac{1}{2}$ NE $\frac{1}{2}$ , S $\frac{1}{2}$ NE $\frac{1}{2}$ , NW $\frac{1}{2}$ , S $\frac{1}{2}$  [LOT 1]

Section 36: [,] except SW $\frac{1}{2}$ NW $\frac{1}{2}$ , S $\frac{1}{2}$ , and the south 660 feet of  
Lots 3-4

(5) Township 28 South, Range 56 East, Copper River Meridian

Section 7: SW $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$ , SW $\frac{1}{2}$ NW $\frac{1}{2}$ , SW $\frac{1}{2}$ SE $\frac{1}{2}$ NW $\frac{1}{2}$ , W $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ , SE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ ,  
NW $\frac{1}{2}$ SW $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{2}$ , SW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$

Section 17: W $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$

Section 18: W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ , SW $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{2}$

Section 19

Section 20: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 29: except USS 948, USS 991, Lots 1, 2, <sup>and</sup> 4-7,  
NE $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{2}$  [LOTS 8-11]

Section 30: [,] except Lots 1, 4, 5, 8, 15-17, and the NE $\frac{1}{2}$ SW $\frac{1}{2}$

Section 31

Section 32: [,] except USS 991, USS 2455, and Lots 1, 2, and 24

Section 33: S $\frac{1}{2}$  except USS 2455 and Lots 18-21

Section 34: W $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , SW $\frac{1}{2}$  except ~~Lots 1, 2, NE $\frac{1}{2}$ SW $\frac{1}{2}$  and~~

[LOTS 1, 2, S $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ ,]

(6) Township 28 South, Range 57 East, Copper River Meridian

Section 22: NE $\frac{1}{2}$ SW $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ , W $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$ , SW $\frac{1}{2}$ SE $\frac{1}{2}$ ,  
NW $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$

Section 26: W $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{2}$

Section 27: E $\frac{1}{2}$ E $\frac{1}{2}$ , N $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$ , SE $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$

Section 34: NE $\frac{1}{2}$ NE $\frac{1}{2}$ , NE $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$

Section 35: SW $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ , NW $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{2}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{2}$ , NW $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$ , S $\frac{1}{2}$ SE $\frac{1}{2}$ , SW $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$

- (7) Township 29 South, Range 55 East, Copper River Meridian  
 Section 1:  $S\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}NE\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}NE\frac{1}{2}$ ,  $SW\frac{1}{2}SE\frac{1}{2}NE\frac{1}{2}$ ,  
 $NW\frac{1}{2}NE\frac{1}{2}SE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$
- (8) Township 29 South, Range 56 East, Copper River Meridian  
 Section 1  
 Section 2:  $N\frac{1}{2}NE\frac{1}{2}$ ,  $E\frac{1}{2}SE\frac{1}{2}NE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}$ ,  $E\frac{1}{2}NE\frac{1}{2}SE\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$   
 Section 4:  $W\frac{1}{2}NW\frac{1}{2}$ ,  $W\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $SE\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $SW\frac{1}{2}$ ,  $W\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  
 $SE\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  $SW\frac{1}{2}SE\frac{1}{2}$ ,  $W\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$ ,  $SE\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$   
 Section 5:  $E\frac{1}{2}$ ,  $N\frac{1}{2}NW\frac{1}{2}$ ,  $SE\frac{1}{2}NE\frac{1}{2}SW\frac{1}{2}$ ,  $E\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$   
 Section 6:  $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{2}$ ,  $NE\frac{1}{2}[NE\frac{1}{2}]NW\frac{1}{2}$ , [ $S\frac{1}{2}NE\frac{1}{2}NW\frac{1}{2}$ ,]  $S\frac{1}{2}NW\frac{1}{2}NW\frac{1}{2}$ ,  
 $N\frac{1}{2}SW\frac{1}{2}NW\frac{1}{2}$ ,  $NW\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$   
 Section 8: except  $SW\frac{1}{2}SW\frac{1}{2}$  and  $S\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$   
 Section 9  
 Section 10:  $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{2}$ ,  $SW\frac{1}{2}NE\frac{1}{2}NW\frac{1}{2}$ ,  $NW\frac{1}{2}NW\frac{1}{2}$ ,  $S\frac{1}{2}NW\frac{1}{2}$ ,  $S\frac{1}{2}$   
 Section 11:  $S\frac{1}{2}NE\frac{1}{2}$ ,  $S\frac{1}{2}S\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}SW\frac{1}{2}NW\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $S\frac{1}{2}$   
 Sections 12-14  
 Section 15:  $N\frac{1}{2}$ ;  $N\frac{1}{2}N\frac{1}{2}SW\frac{1}{2}$ ,  $E\frac{1}{2}SE\frac{1}{2}$ ,  $NW\frac{1}{2}SE\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}SE\frac{1}{2}$   
 Section 16:  $E\frac{1}{2}NE\frac{1}{2}$ ,  $E\frac{1}{2}W\frac{1}{2}NE\frac{1}{2}$ ,  $W\frac{1}{2}NW\frac{1}{2}NE\frac{1}{2}$ ,  $NW\frac{1}{2}SW\frac{1}{2}NE\frac{1}{2}$ ,  
 $N\frac{1}{2}N\frac{1}{2}NW\frac{1}{2}$ ,  $SE\frac{1}{2}NE\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$   
 Section 17:  $N\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$   
 Section 22:  $N\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}NE\frac{1}{2}$   
 Section 23: that portion of the  $N\frac{1}{2}NW\frac{1}{2}$  lying west of  
 Chilkat Lake
- (9) Township 29 South, Range 57 East, Copper River Meridian  
 Section 4:  $NW\frac{1}{2}NW\frac{1}{2}SW\frac{1}{2}$ ,  $S\frac{1}{2}NW\frac{1}{2}SW\frac{1}{2}$ ,  $SW\frac{1}{2}SW\frac{1}{2}$ ,  $NW\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$ ,  $S\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$   
 Section 5: [,] except Lots 2-4,  $N\frac{1}{2}NE\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}NE\frac{1}{2}$  [, AND THE  
 NORTH 660 FEET AND THE EAST 660 FEET OF LOT 2]  
 Section[S] 6: [-8] except Lots 1 and 9  
Sections 7 and 8  
 USS 907  
 Section 9:  $W\frac{1}{2}W\frac{1}{2}NE\frac{1}{2}$ ,  $SE\frac{1}{2}SW\frac{1}{2}NE\frac{1}{2}$ ,  $SW\frac{1}{2}SE\frac{1}{2}NE\frac{1}{2}$ ,  $NW\frac{1}{2}$ ,  $S\frac{1}{2}$   
 Section 10: Lots 1-4,  $W\frac{1}{2}NE\frac{1}{2}SW\frac{1}{2}$ ,  $NW\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}SE\frac{1}{2}SW\frac{1}{2}$   
 Section 14: that portion west of the Haines Highway  
 Section 15: [,] except  $NE\frac{1}{2}NE\frac{1}{2}$  and Lots 7-10, 13-14  
 Sections 16-18

USS 786

Section 19:  $NE\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$

Section 20:  $NE\frac{1}{2}$ ,  $E\frac{1}{2}NW\frac{1}{2}$ ,  $NW\frac{1}{2}NW\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}$ ,  
 $N\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  $SE\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$

Sections 21 and 22

Section 23: that portion west of the Haines Highway

Section 25: that portion west of the Haines Highway

Section 26: that portion west of the Haines Highway

Section 27

Section 28:  $NE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}$ ,  $N\frac{1}{2}NW\frac{1}{2}NW\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}$ ,  
 $N\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  $SE\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$

Section 34:  $NE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  
 $E\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$

Section 35

Section 36: that portion west of the Haines Highway

(10) Township 29 South, Range 58 East, Copper River Meridian

Section 3:  $S\frac{1}{2}SW\frac{1}{2}NW\frac{1}{2}$ ,  $SW\frac{1}{2}NE\frac{1}{2}SW\frac{1}{2}$ ,  $W\frac{1}{2}SW\frac{1}{2}$ ,  $SE\frac{1}{2}SW\frac{1}{2}$ ,  $S\frac{1}{2}SW\frac{1}{2}SE\frac{1}{2}$

Section 4:  $SW\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$ ,  $W\frac{1}{2}NE\frac{1}{2}$ ,  $SE\frac{1}{2}NE\frac{1}{2}$ ,  $NW\frac{1}{2}$ ,  $NE\frac{1}{2}SW\frac{1}{2}$ ,  $SE\frac{1}{2}$

Section 9:  $NE\frac{1}{2}NE\frac{1}{2}$

Section 10:  $N\frac{1}{2}$ ,  $E\frac{1}{2}SW\frac{1}{2}$ ,  $E\frac{1}{2}W\frac{1}{2}SW\frac{1}{2}$ ,  $NW\frac{1}{2}NW\frac{1}{2}SW\frac{1}{2}$ ,  $SE\frac{1}{2}$

Section 31: that portion south of the Haines Highway

(11) Township 30 South, Range 57 East, Copper River Meridian

Section 1

Section 2:  $NE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}$ ,  $N\frac{1}{2}NW\frac{1}{2}NW\frac{1}{2}$ ,  $SE\frac{1}{2}NW\frac{1}{2}NW\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  
 $SE\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$

Section 3:  $NE\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$

Section 12:  $NE\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}NW\frac{1}{2}NW\frac{1}{2}$ ,  $NE\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $W\frac{1}{2}NE\frac{1}{2}SE\frac{1}{2}$ ,  
 $NE\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ,  $E\frac{1}{2}E\frac{1}{2}SE\frac{1}{2}$ ,  $NW\frac{1}{2}SE\frac{1}{2}SE\frac{1}{2}$

[SECTION 13:  $NE\frac{1}{2}NE\frac{1}{2}NE\frac{1}{2}$ ]

(12) Township 30 South, Range 58 East, Copper River Meridian

Section 6: that portion west of the Haines Highway

Section 7: that portion west of the Haines Highway

Section 8: that portion west of the Haines Highway

Section 16: that portion west of the Haines Highway

Section 17: that portion west of the Haines Highway

Section 18: Lots 1-3 and 5,  $SW\frac{1}{2}NE\frac{1}{2}$ ,  $N\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,

$SE\frac{1}{2}SE\frac{1}{2}NW\frac{1}{2}$ ,  $SE\frac{1}{2}$

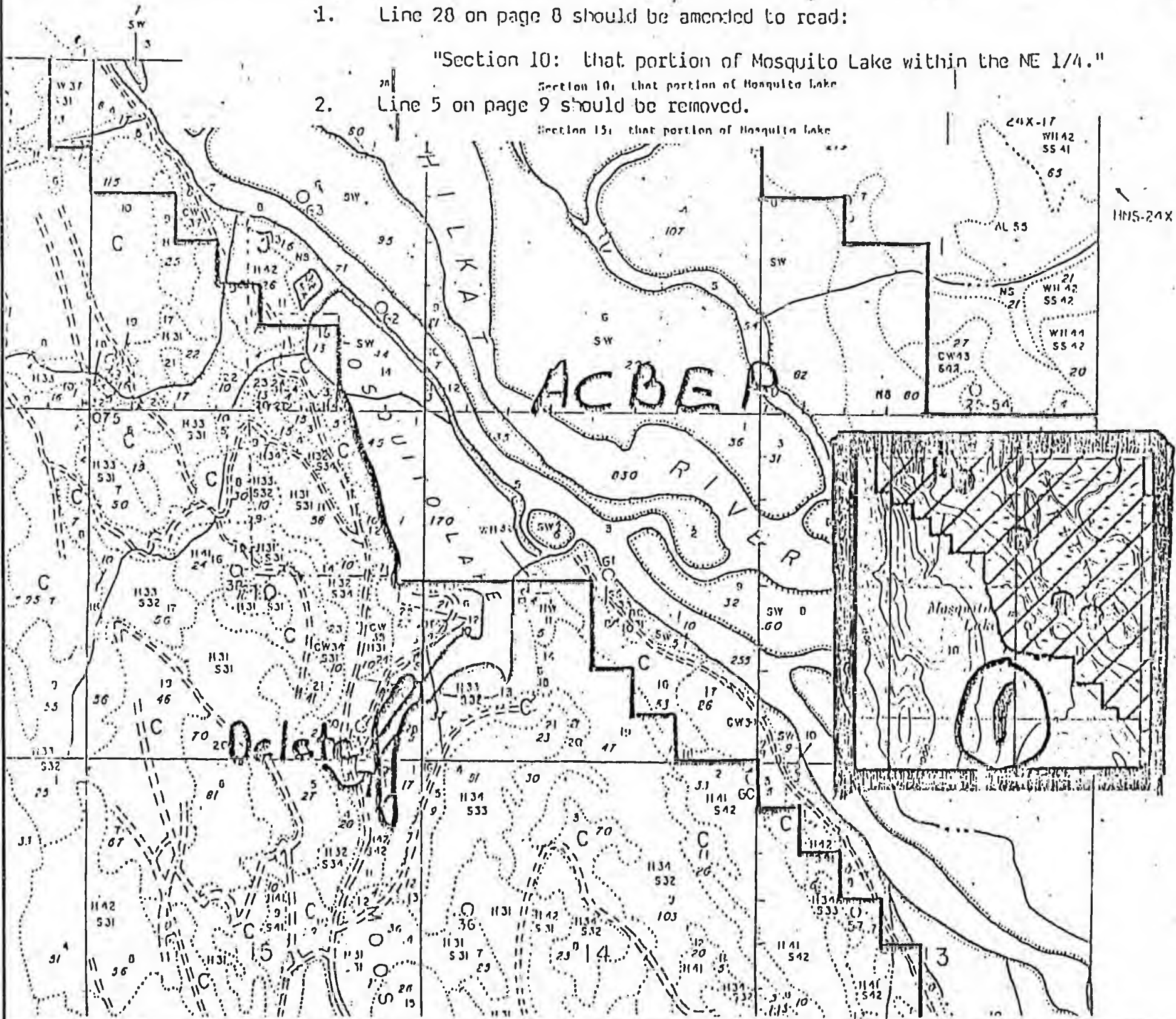
1. Line 28 on page 8 should be amended to read:

"Section 10: that portion of Mosquito Lake within the NE 1/4."

2. Line 5 on page 9 should be removed.

Section 10: that portion of Mosquito Lake

Section 15: that portion of Mosquito Lake



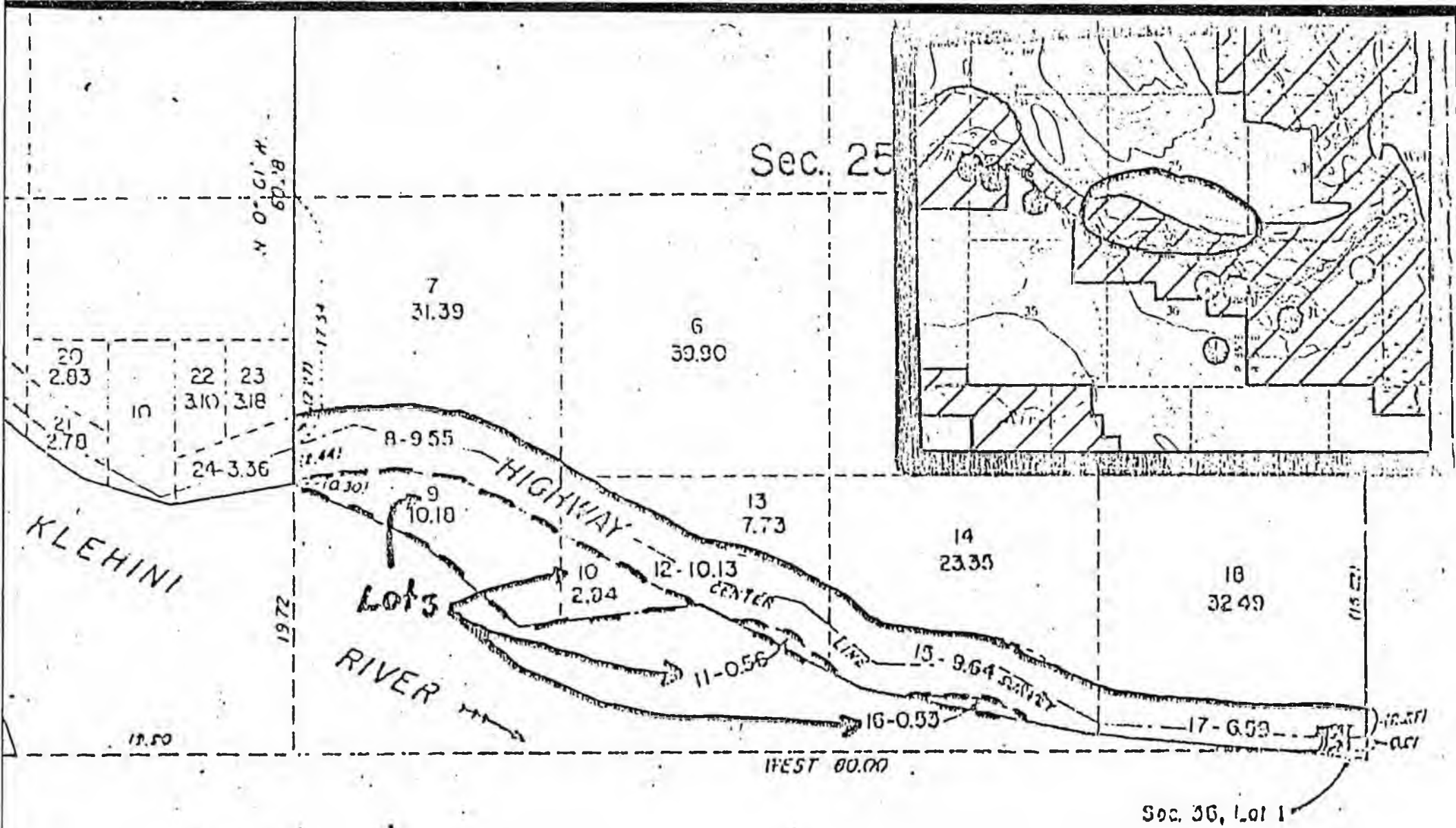
Ownership

Neat Health

HNS-24X

Sold before Jan. 1, 1960

University



3. Line 8 on page 9 should be amended to read:

~~Section 25, except that portion north of the Haines Highway.~~

Section 25; Lots 9 - 11 and 16

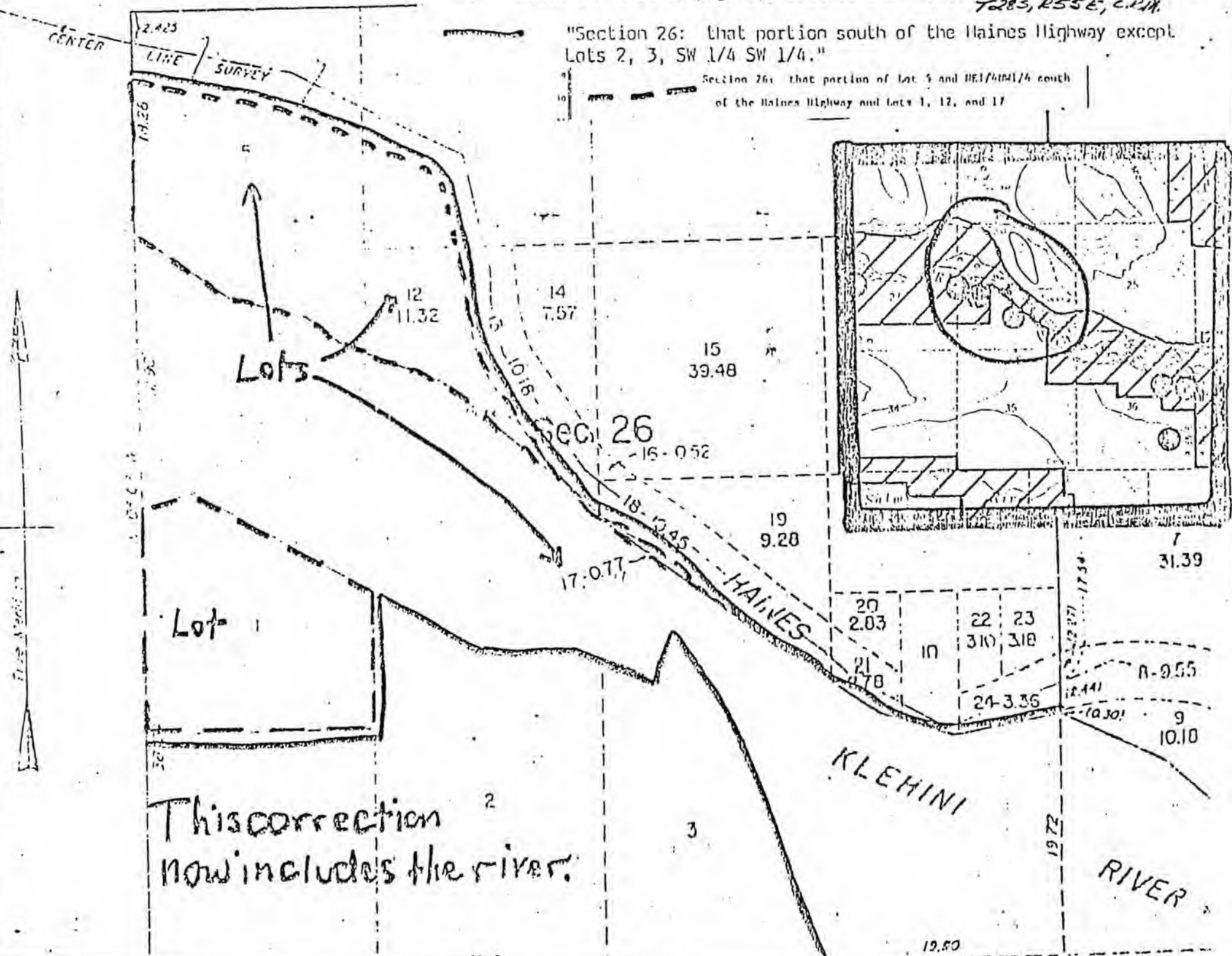
*This correction now includes river.*

*T28S, R55E, C.1M*

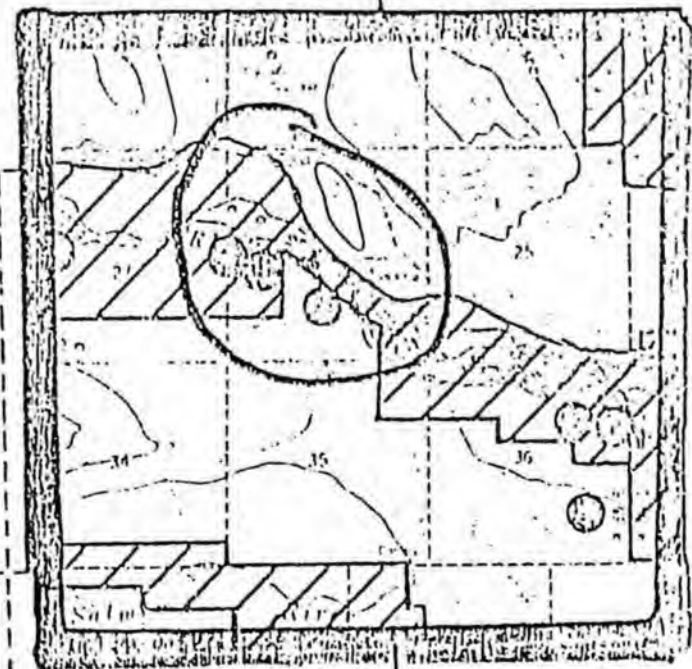
4. Lines 9 & 10 on page 9 should be amended to read:  
70283, R55E, C4N.

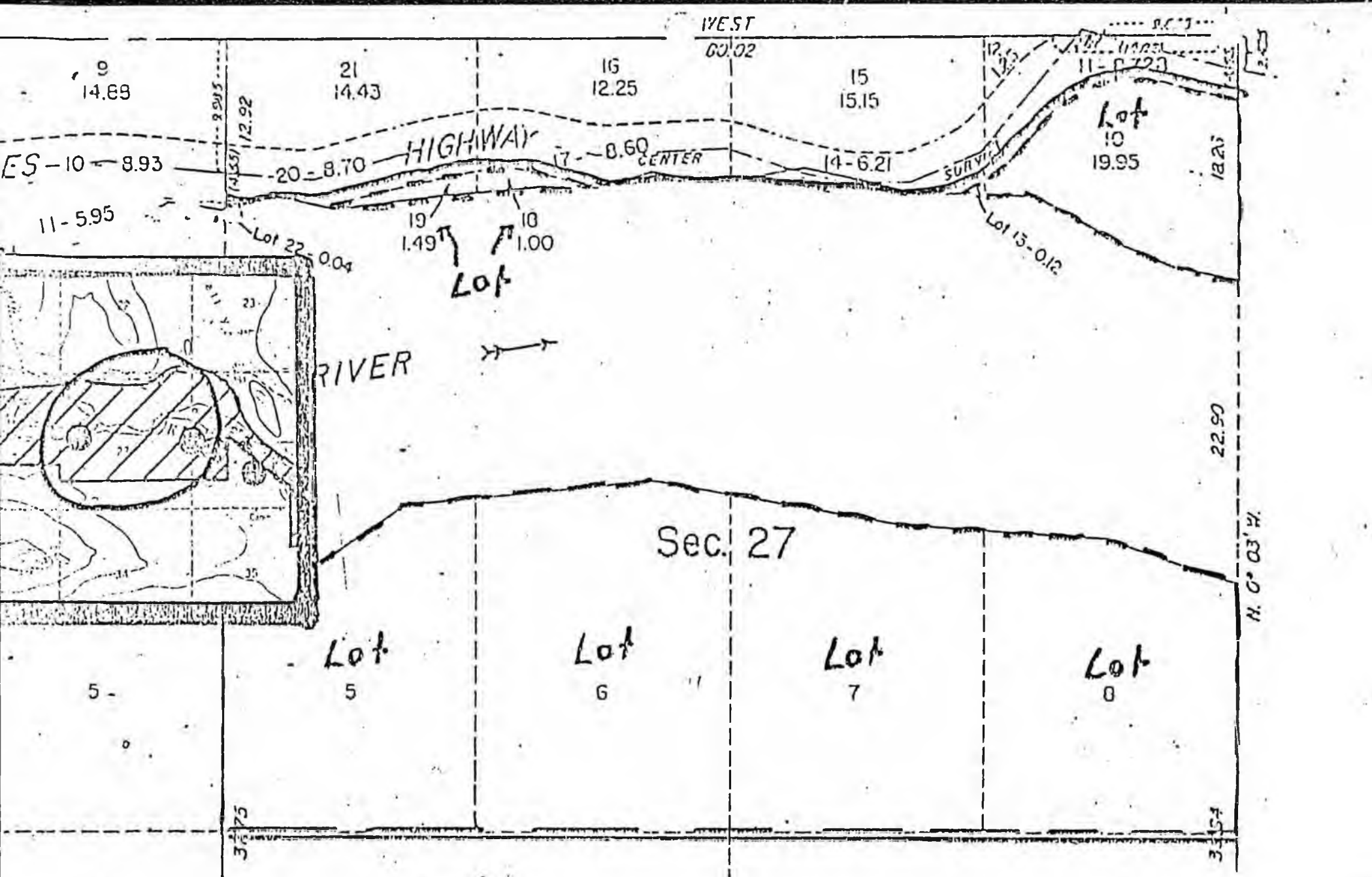
"Section 26: that portion south of the Haines Highway except Lots 2, 3, SW 1/4 SW 1/4."

Section 26: that portion of lot 5 and NE 1/4 NW 1/4 south of the Haines Highway and lots 1, 12, and 17



This correction now includes the river.





5. Line 11 on page 9 should be amended to read:

~~Section 27: that portion south of the Haines Highway except S 1/2 S 1/2.~~

Section 27: Lots 5 - 8, 10, 13, 16, 17, and 22

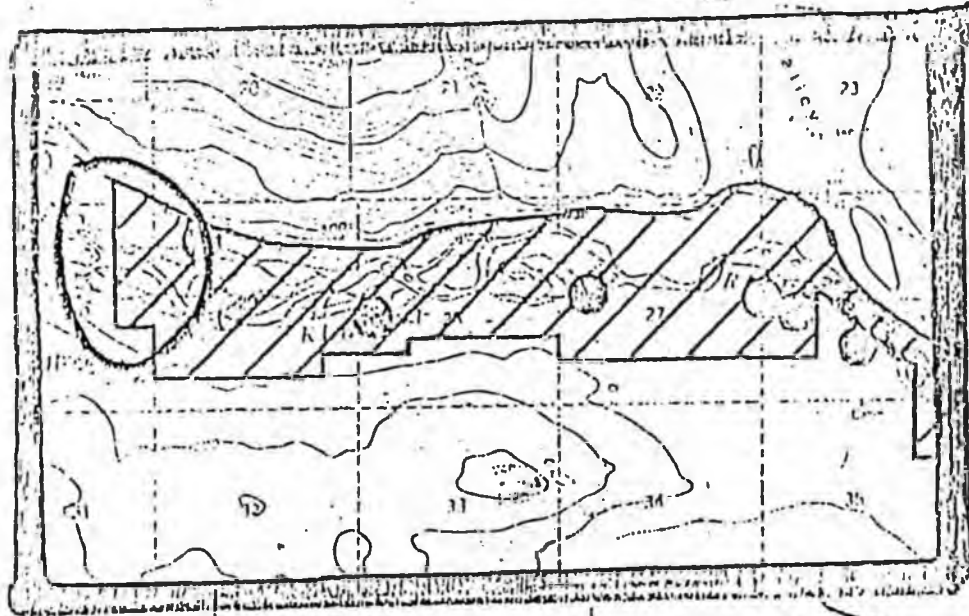
TRES, ROSE, CRIM.

Correction now includes river.

6. Line 16 on page 9 should be amended to read:

"Section 30: E 1/2 NE 1/4, N 1/2 NE 1/4 SE 1/4, ~~Lot 11, Lot 6~~  
~~except the south 660 feet~~"

Section 30: Lot 11, and Lot 6 except the south 660 feet.



Sec. 30

Correction now includes river.

AINES

KLEHINI

RIVE

7285, 55' 2.116

N 0°

113.113

11.565

13.308

107

6.375

16.94

N 0° 07' W

N 0° 07' W

3

120.00

N 69° 59' E 79.60

2

13

12

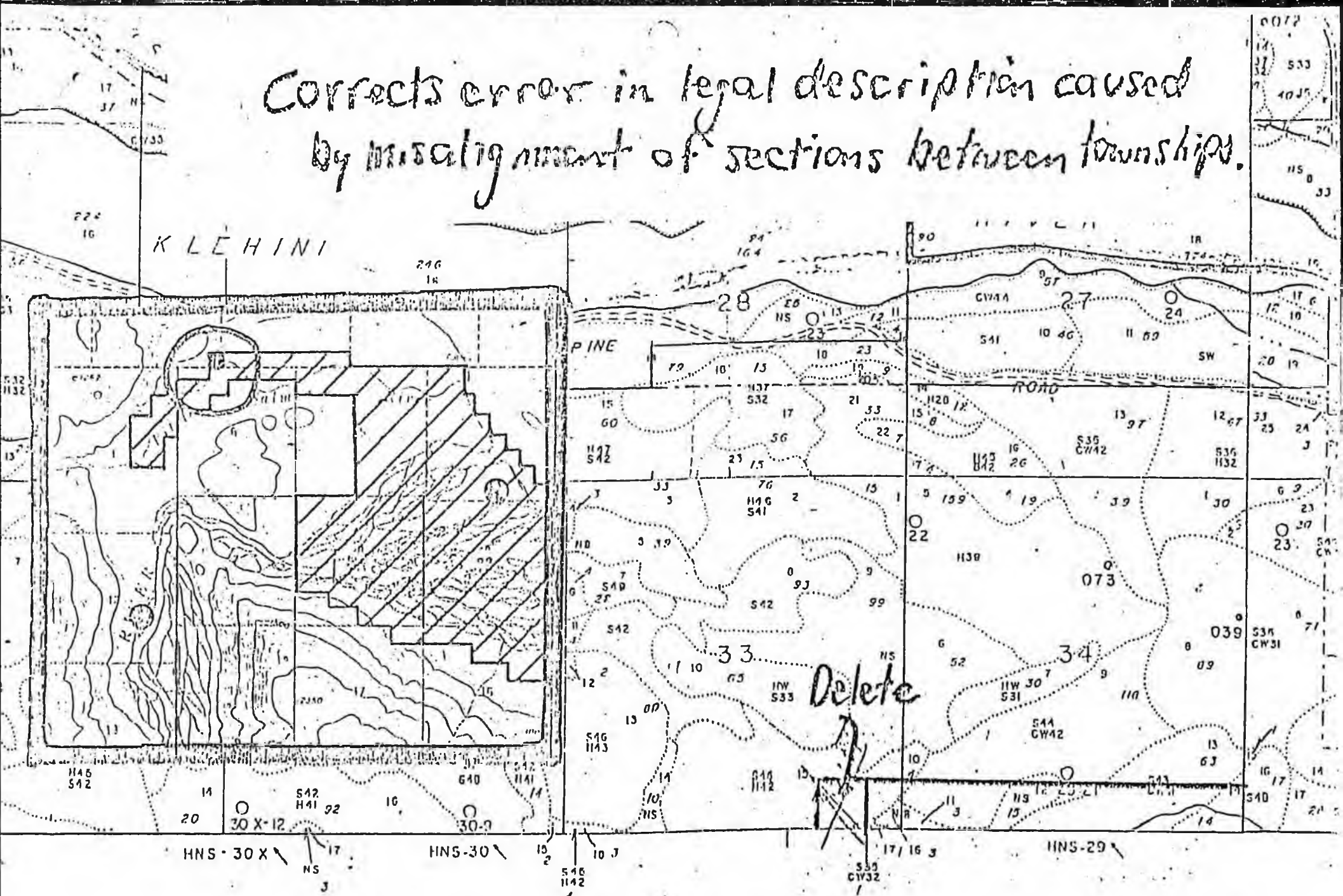
20

0

7

11

Corrects error in legal description caused  
by misalignment of sections between townships.



7. Line 17 on page 9 should be amended to read:

~~Section 33: SE 1/4 SE 1/4 SE 1/4.~~  
Section 33: SE 1/4 SE 1/4 SE 1/4.

T28S, R55E, CR. 11.

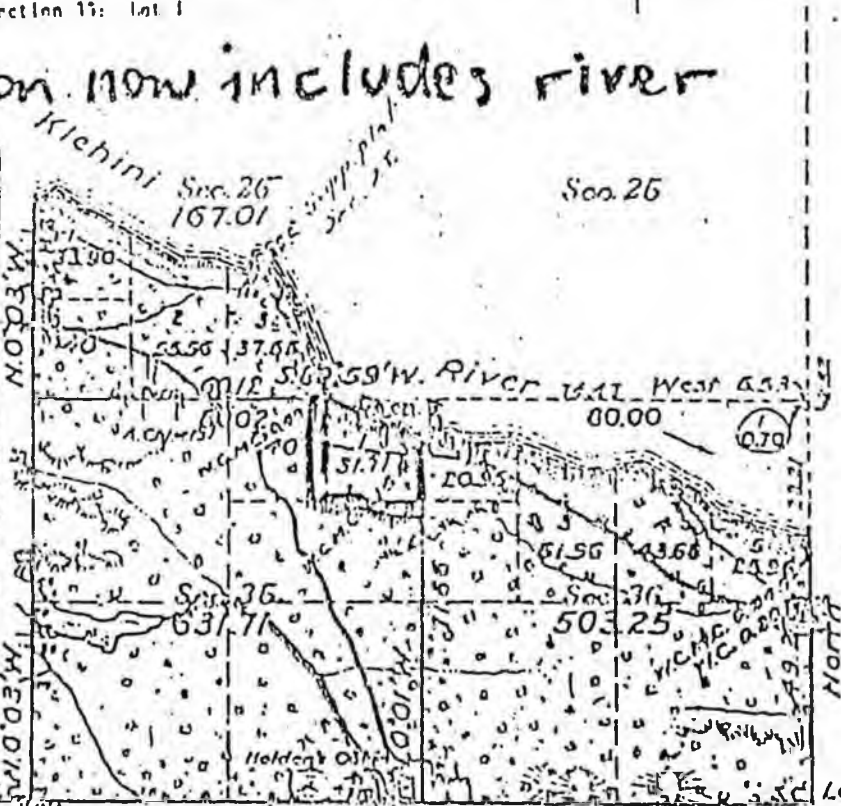
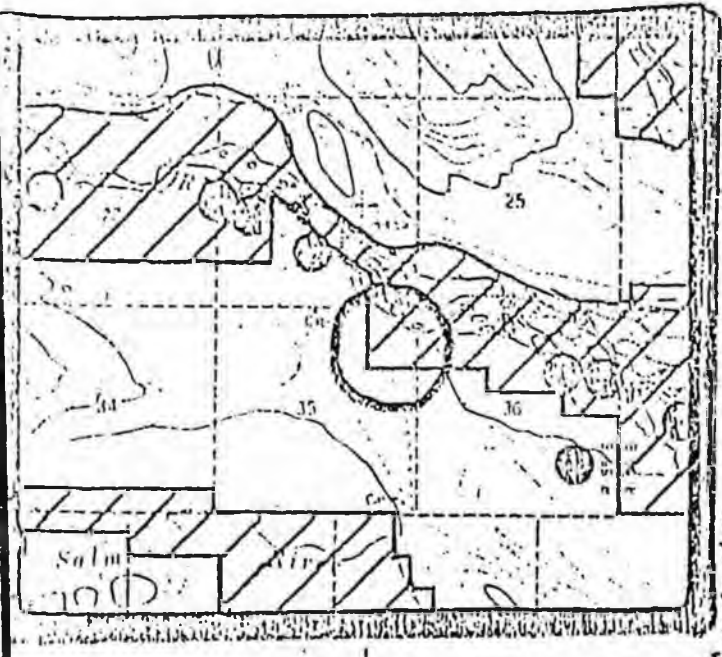
8. Line 19 on page 9 should be amended to read:

"Section 35, except NW 1/4 NE 1/4, S 1/2 NE 1/4, NW 1/4, S 1/2."

UNF

25125

Correction now includes river



Areas in Acres	
Public Land	1,301
Indian Reservation	
Indian Allotments	
Mineral Claims	
Water Surface	1/2
<b>Total Area</b>	<b>1,301</b>

Latitude: 55° 25' 37" N  
 Longitude: 135° 57' 29" W  
 Scale 40 Chains to  
 Mean Magnetic Declination

Standard WEST Parallel  
 50 South  
 P Q R S T

Amount of Surveys			When Surveyed	
All.	chs.	lks.	Began	Completed
1	00	00	Jan 26, 1919	Mar 26, 1919
5	00	00	Apr 23, 1919	Apr 23, 1919
4	30	85	Apr 9, 1919	Apr 27, 1919
2	36	64	Apr 23, 1919	Apr 23, 1919

The above map of Township No. 51 North, Range No. 53 East, of the \_\_\_\_\_ Meridian, Alaska, is strictly conformable to the field notes of the survey in this office, which have been examined and approved.

U. S. Surveyor General's Office  
 Anchorage, Alaska, March 15, 1920

*[Signature]*  
 Surveyor General

9. Line 2 on page 10 should be amended to read:

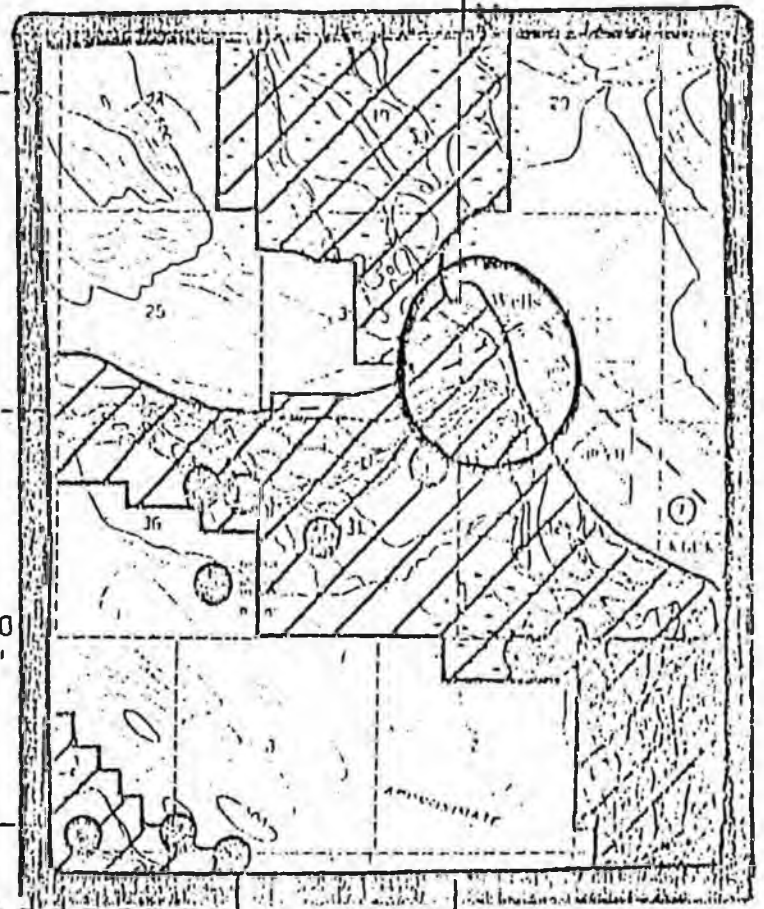
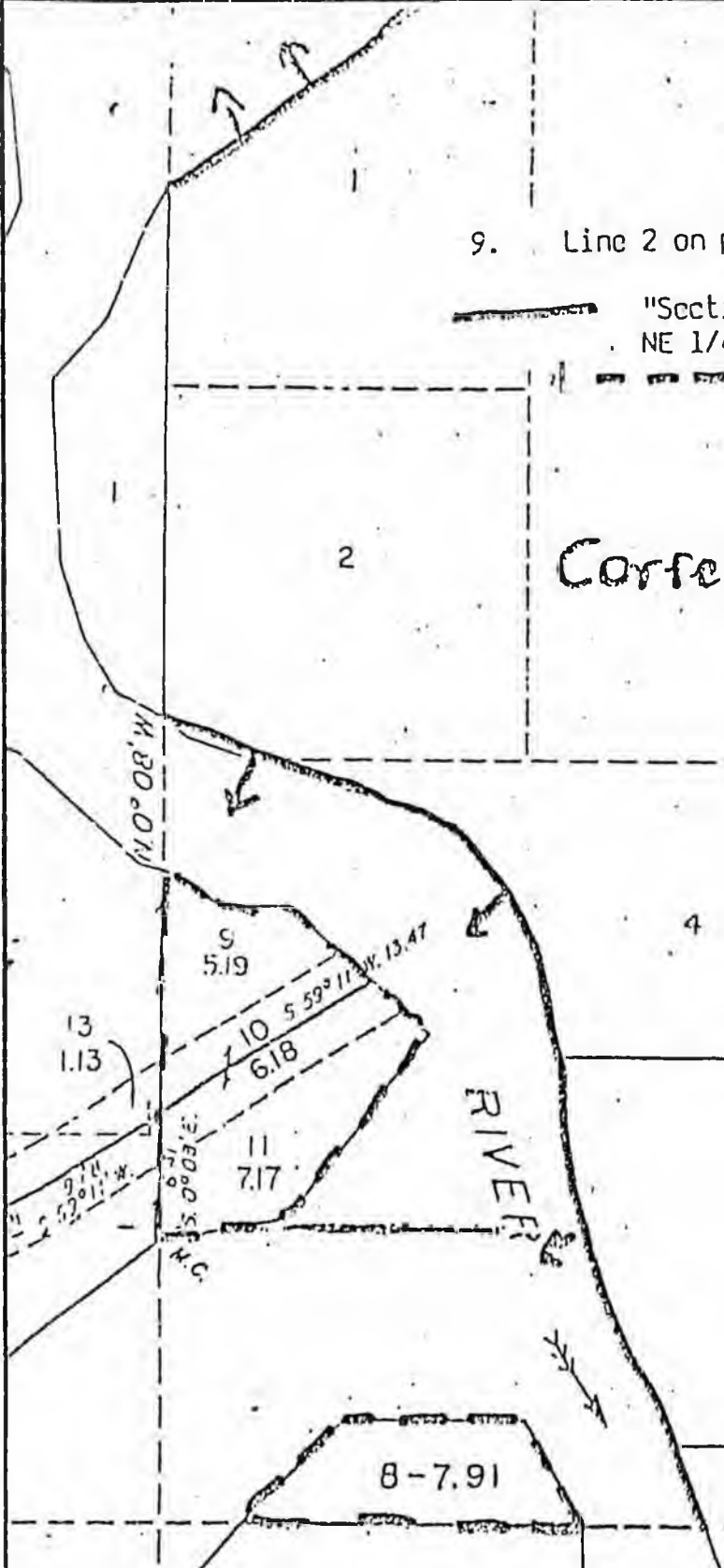
"Section 29, except USS 948, USS 991, Lots 1, 2, 4-7,  
NE 1/4, E 1/2 NW 1/4."

Section 29: Lots 9 - 11

Correction now includes river

Sec. 29

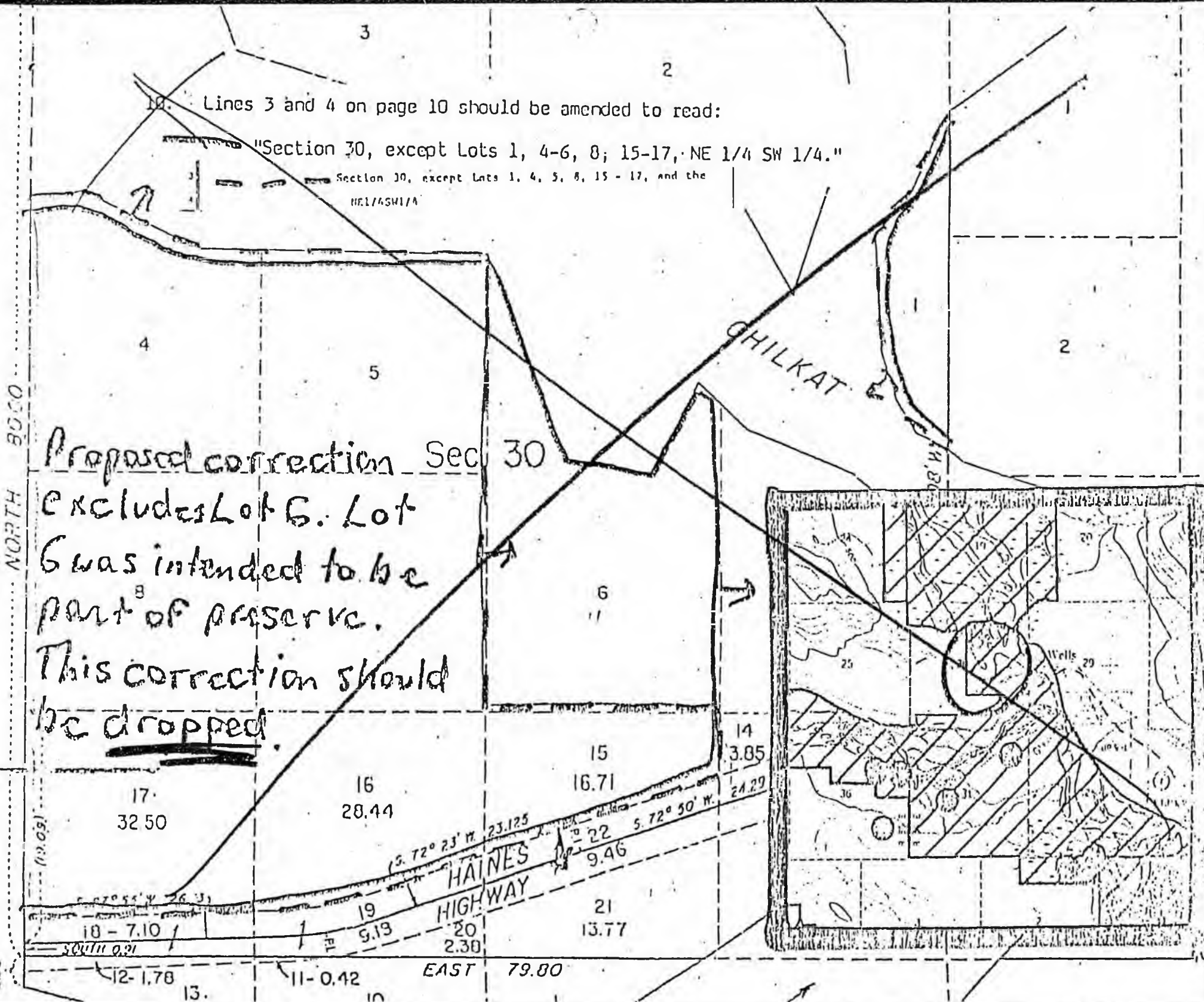
U. S. SURVEY No. 940



10. Lines 3 and 4 on page 10 should be amended to read:

"Section 30, except Lots 1, 4-6, 8; 15-17, NE 1/4 SW 1/4."

Section 30, except Lots 1, 4, 5, 8, 15 - 17, and the NE 1/4 SW 1/4



Proposed correction Sec 30  
 excludes Lot 6. Lot  
 6 was intended to be  
 part of preserve.  
 This correction should  
 be dropped.



c. 0.5.17

WEST 39.60

NO. 11

T29S, R56E, C11M

11. Lines 9 and 10 on page 10 should be amended to read:

"Section 34: W 1/2 SW 1/4 SE 1/4, SE 1/4 SW 1/4 SE 1/4, SW 1/4 except Lots 1, 2, NE 1/4 SW 1/4."

Section 34: Lots 1, 2, S1/2NE1/4SW1/4, W1/2SW1/4SE1/4 SE1/4SW1/4SE1/4

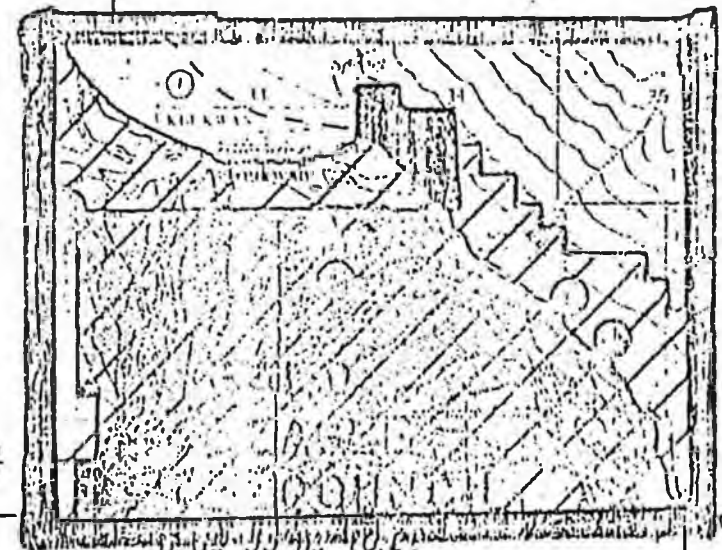
*Adjust to delete isolated parcel?*

*Imp't.*

Sec. 33

(Dependent Resurvey) S 89°55' W, 39.78

Sec. 34



*Delete - Klukwan Indian Village*

CHILKAT RIVER

2

160

N 0° 07' W, 40.05 (Dependent Resurvey)

*Why not delete - Imp't nesting habitat*

EAST 40.00

SEVENTH

STANDARD

8.67

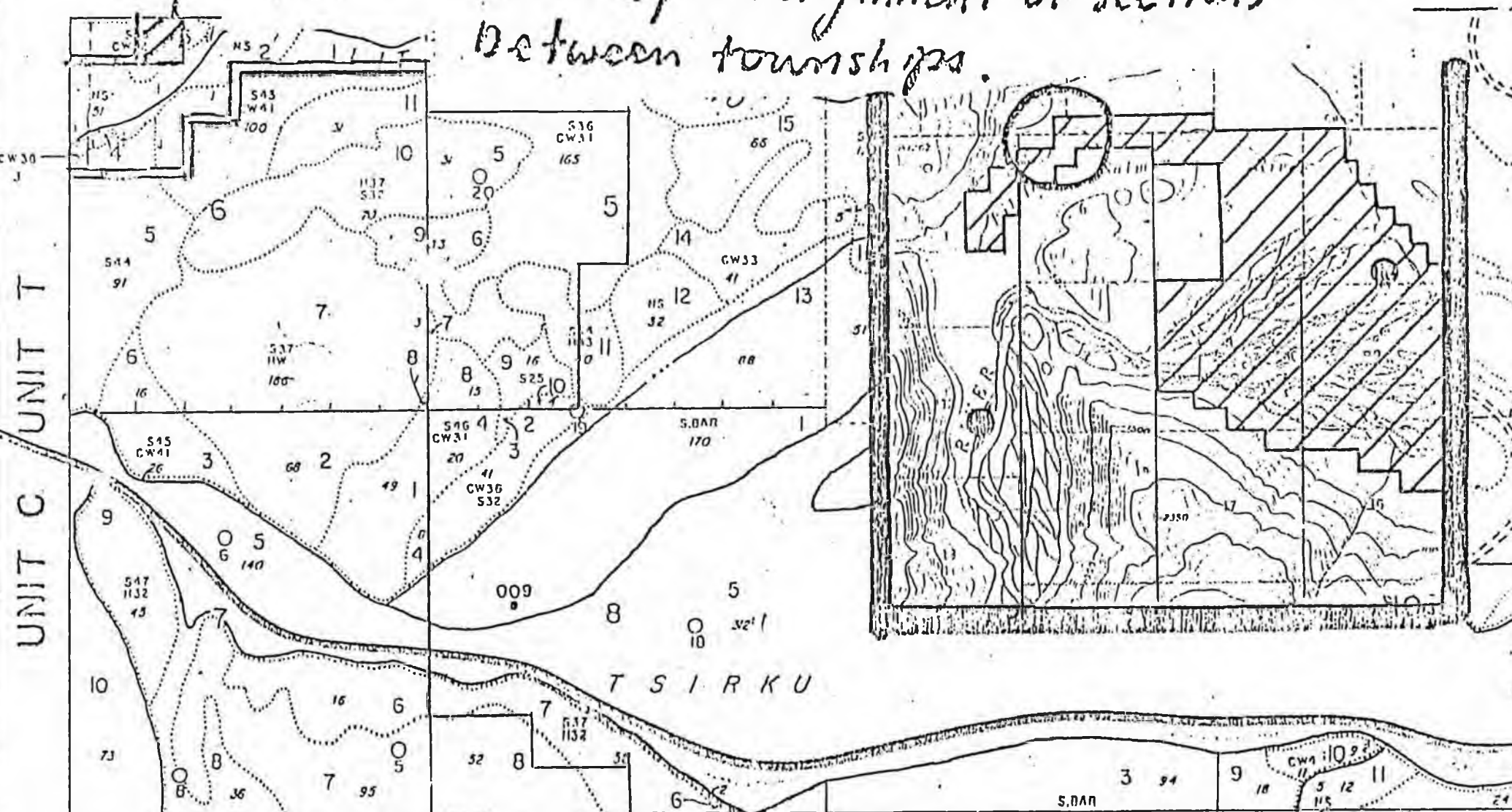
PARALLEL

SOUTH

N 0° 05' W, 40.05

Addition - corrects error in legal description  
 caused by misalignment of sections  
 between townships.

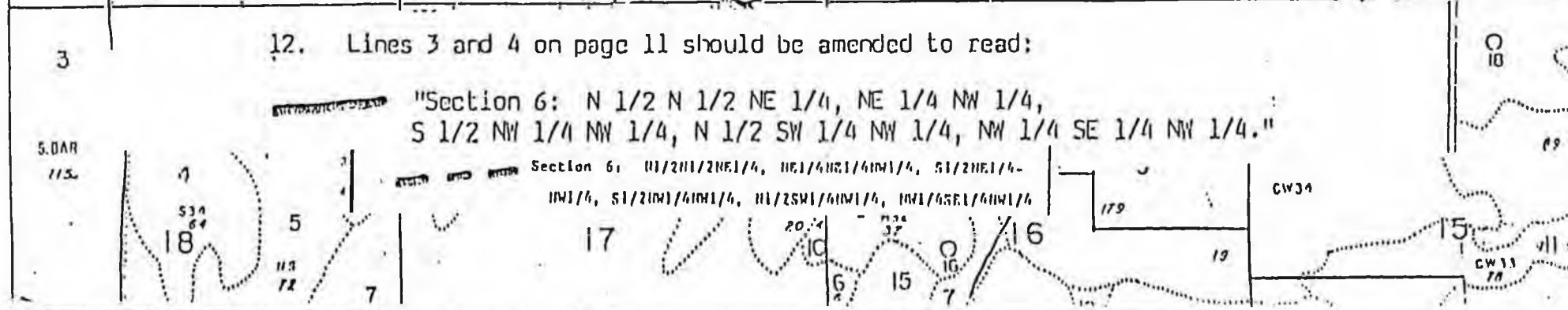
T29S, R56E, CR11



12. Lines 3 and 4 on page 11 should be amended to read:

"Section 6: N 1/2 N 1/2 NE 1/4, NE 1/4 NW 1/4,  
 S 1/2 NW 1/4 NW 1/4, N 1/2 SW 1/4 NW 1/4, NW 1/4 SE 1/4 NW 1/4."

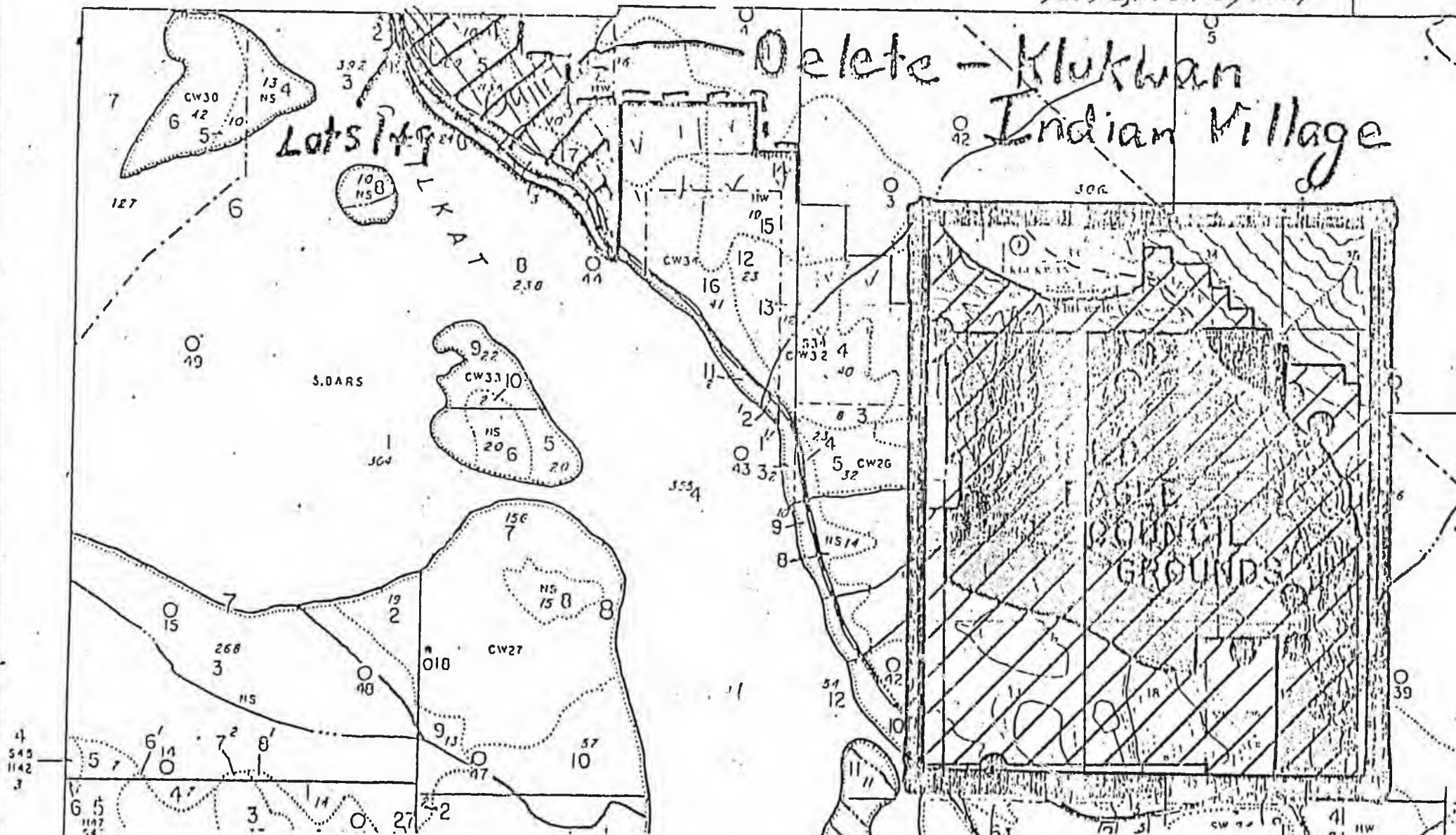
Section 6: N1/2N1/2NE1/4, NE1/4NW1/4, S1/2NE1/4-  
 NW1/4, S1/2NW1/4NW1/4, N1/2SW1/4NW1/4, NW1/4SE1/4NW1/4



T24S, 57E, 41W

ete - Klukwan  
Indian Village

Lots 1-10



13. Lines 24 and 25 on page 11 should be amended to read:

~~Section 5, except Lots 2-4, N 1/2 NE 1/4, NE 1/4 SE 1/4 NE 1/4.~~

14. Line 26 on page 11 should be amended to read:

~~Section 6, except Lots 1 and 9.~~

Section 5, except N1/2NE1/4, NE1/4SE1/4NE1/4, and the north 660 feet and the east 660 feet of lot 2. Sections 6 - 8

7  
H47  
S42  
1

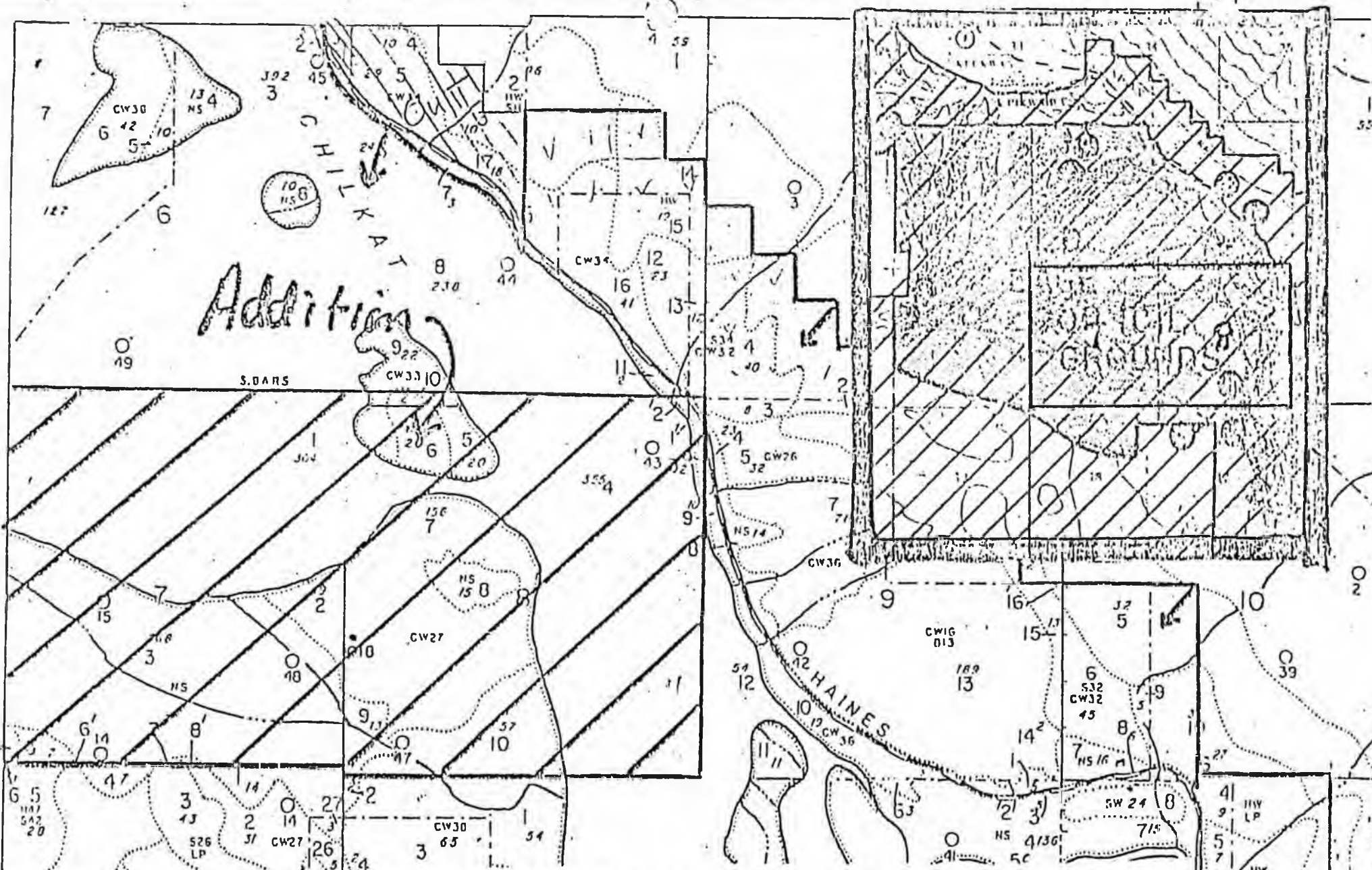
4  
S45  
H42  
3

9  
H35  
S33  
17



105  
40

202



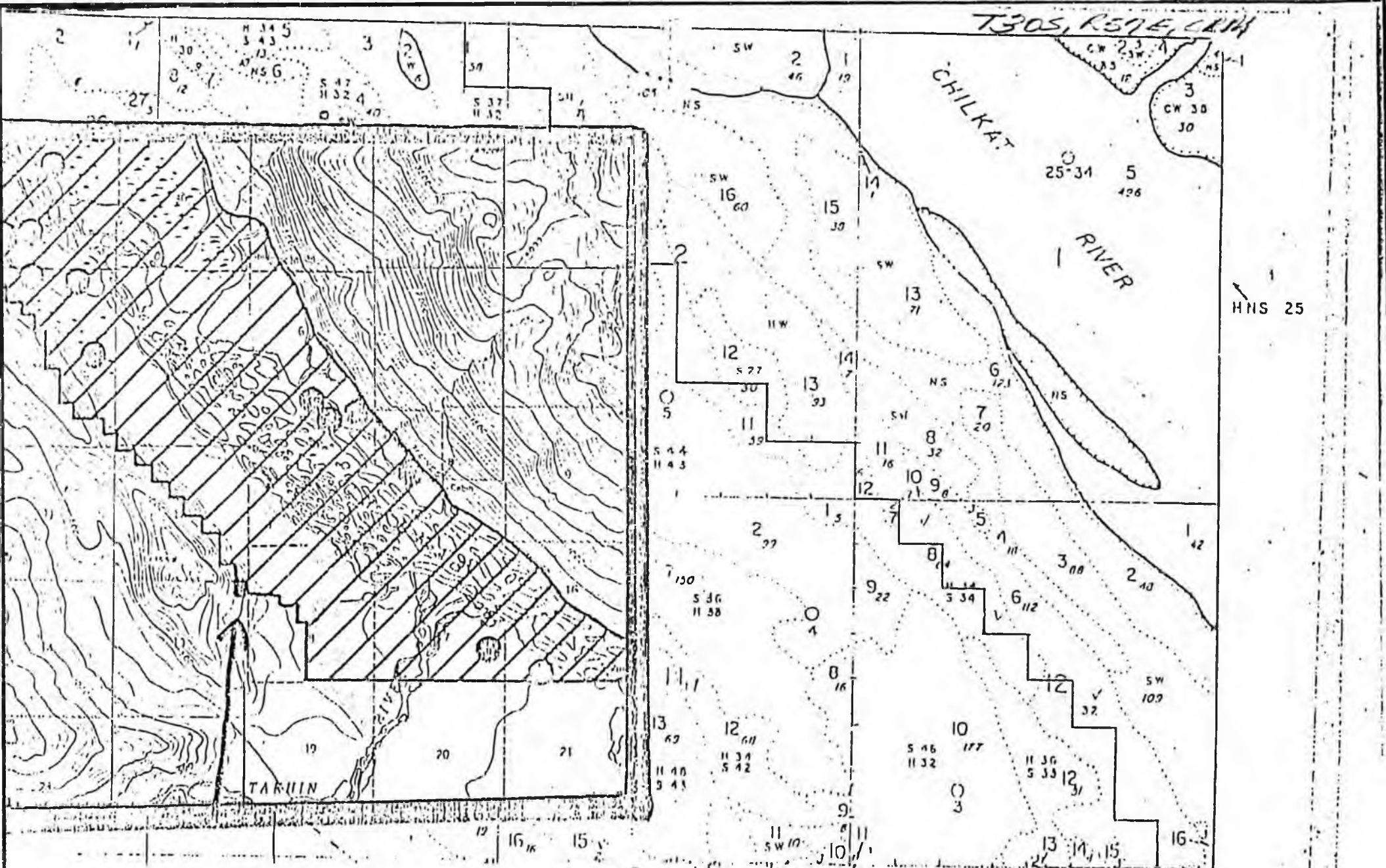
15. An additional line should be added to page 11 under (9) to read:

"Sections 7 and 8."

T29S, R57E, CR4.

These sections were inadvertently omitted from original description.





16. Line 11 on page 13 should be removed.

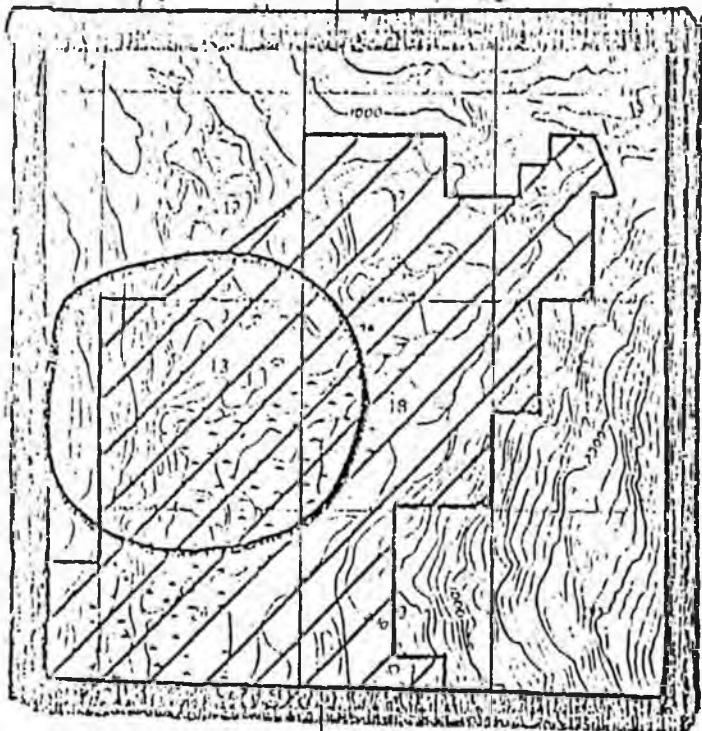
Section 13: NW1/4NE1/4NW1/4

corrects error in legal description caused by misalignment of sections between ranges.

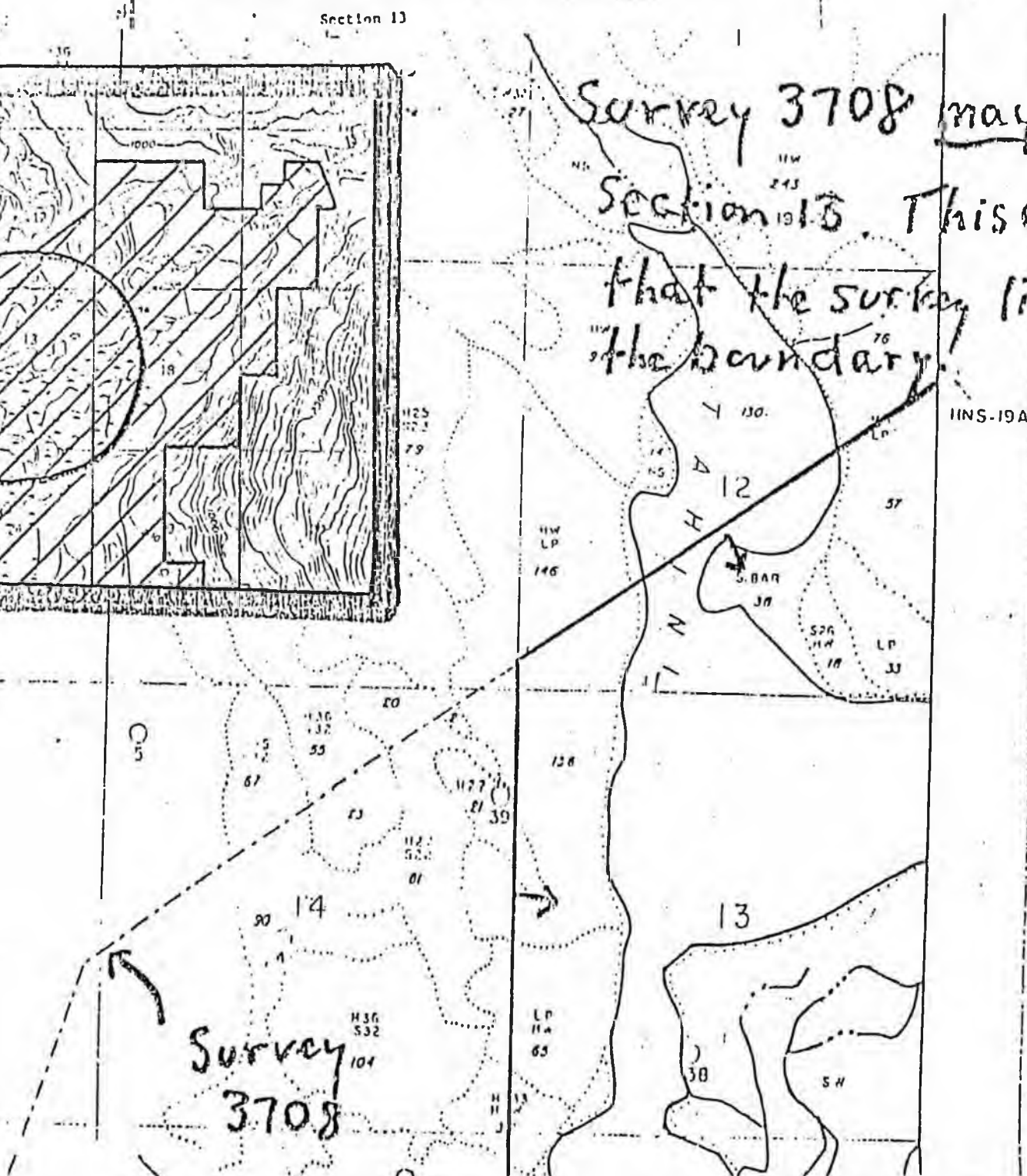
17. Line 27 on page 6 should be amended to read:

"Section 13: that portion within USS 3708"

Section 13



Survey 3708 may cut through  
 Section 13. This correction assures  
 that the survey line is used as  
 the boundary.



T265, L55E, U111

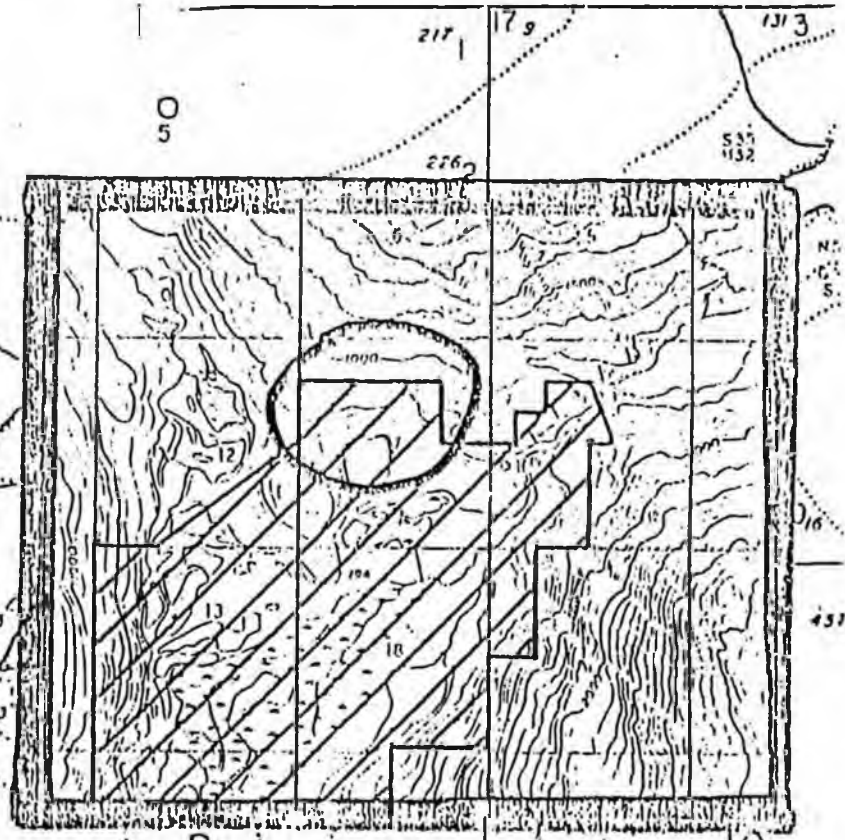
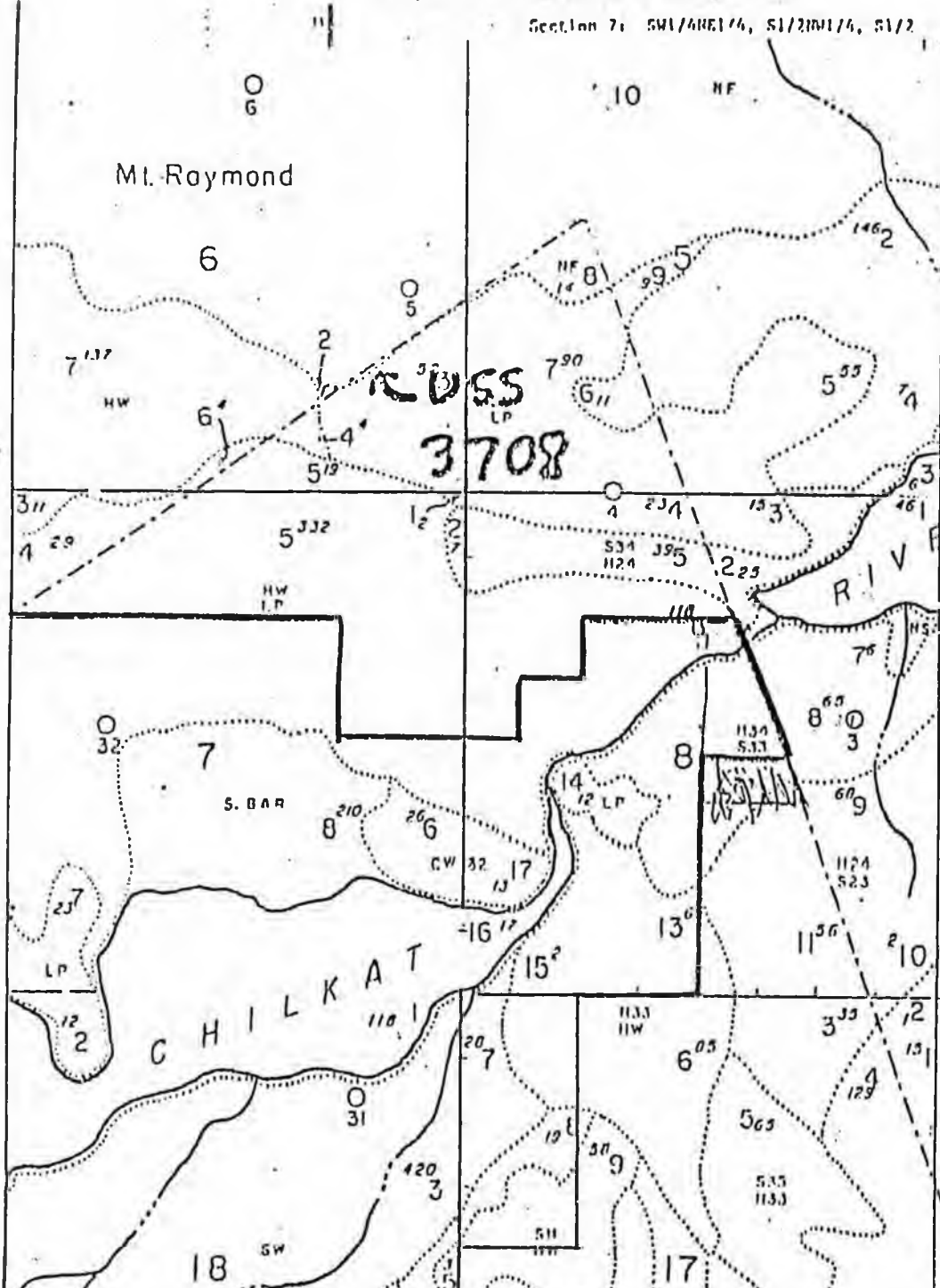
- S3
- S3 CWJ
- S4 H4
- S3 HW
- H3
- H2
- H3 S3
- H2 S2
- H3 HW
- CW2
- S3 H2
- H2
- H3 S3
- H2 S2
- CW3
- NC
- NF

T26 R51

Survey 3708

18. Line 11 on page 7 should be amended to read:

"Section 7: SW 1/4 NE 1/4, S 1/2, and that portion of the S 1/2 NW 1/4 within USS 3708"



U.S. Survey may cut through Section 7 south of the mapped location. This correction assures that if the survey line is south of the mapped location, it will be used as the boundary.

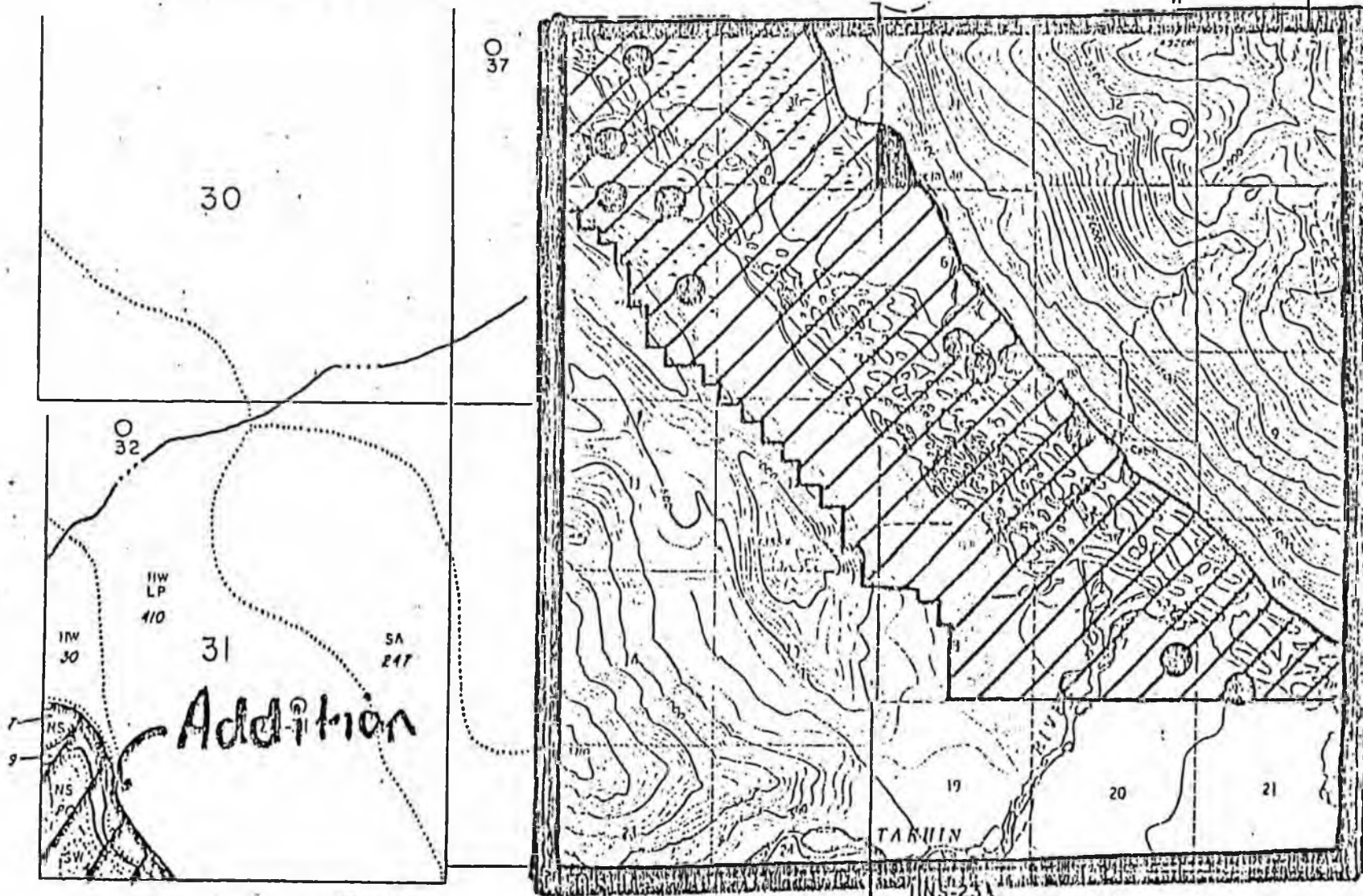
T29S, R58E, C111.

1165C

This section was inadvertently omitted  
 from original description

19. An additional line should be added on page 13 under T. 29S.,  
 R. 58E., C.R.M. to read:

"Section 31: that portion south of the Haines Highway"



HNS-24

UNIT C UNIT 11

Revisor's notes. — Formerly AS  
41.20.506. Renumbered in 1983.

Sec. 41.21.611. Alaska Chilkat Bald Eagle ~~Preserve~~ established. (a) Subject to valid existing rights, ~~the~~ ~~and~~ ~~water~~ presently owned by the state and all land and ~~water~~ ~~acquired~~ in the future by the state lying within the boundaries ~~described in b)~~ of this section are designated the Alaska Chilkat Bald ~~Eagle~~ ~~Preserve~~ and assigned to the department for control, development, ~~and~~ ~~maintenance~~.

(b) Except for University of Alaska grant land, ~~the~~ ~~and~~ ~~water~~ owned by the state and all land and water acquired ~~by~~ ~~the~~ ~~state~~ in the future lying within the following described parcels ~~are~~ ~~designated~~ as the Alaska Chilkat Bald Eagle Preserve:

- (1) Township 26 South, Range 55 East, Copper River Meridian
  - Section 12: that portion with USS 3708
  - Section 13
  - Section 23: SE1/4NE1/4, NE1/4SE1/4, E1/2NW1/4SE1/4, S1/2SE1/4
  - Sections 24 and 25
  - Section 26: E1/2
  - Section 33: SE1/4SE1/4SE1/4
  - Section 34: E1/2NE1/4, E1/2SW1/4NE1/4, SE1/4NE1/4SW1/4, E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, SE1/4SW1/4, SE1/4
  - Section 35
  - Section 36: NE1/4NW1/4NE1/4, W1/2W1/2NE1/4, NW1/4, N1/2SW1/4, N1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4SW1/4, NW1/4SE1/4
- (2) Township 26 South, Range 56 East, Copper River Meridian
  - Section 7: SW1/4NE1/4, S1/2NW1/4, S1/2
  - Section 8: SE1/4SW1/4NW1/4, SE1/4NW1/4, SW1/4, that portion of the S1/2NE1/4 within USS 3708
  - Section 17: W1/2NW1/4
  - Section 18
  - Section 19: W1/2, SW1/4SE1/4
  - Section 30: NE1/4NW1/4NE1/4, W1/2NW1/4NE1/4, NW1/4, W1/2SW1/4
- (3) Township 27 South, Range 55 East, Copper River Meridian
  - Section 2: NW1/4, W1/2NE1/4SW1/4, NW1/4SW1/4, N1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4SW1/4, except USS 3744
  - Section 3
  - Section 4: NE1/4NE1/4NE1/4, S1/2NE1/4NE1/4, E1/2SW1/4NE1/4, SE1/4NE1/4, E1/2SE1/4SW1/4, SE1/4
  - Section 8: SE1/4SE1/4SW1/4, S1/2S1/2SE1/4, N1/2SE1/4SE1/4
  - Section 9: E1/2, E1/2NW1/4, N1/2NE1/4SW1/4, SE1/4NE1/4SW1/4, NW1/4SW1/4SW1/4, S1/2S1/2SW1/4

eserve estab-  
nd and water  
quired in the  
ed in (b) of this  
Preserve and  
l maintenance.  
and and water  
he state in the  
designated as

Meridian

NW1/4SE1/4,

NE1/4SW1/4,  
4, SE1/4

1/4, NW1/4,  
SW1/4SW1/4,

Meridian

4, that por-

1/4, NW1/4,

Meridian

SW1/4SW1/4,  
E1/4SW1/4,

E1/4NE1/4,  
SE1/4

E1/4SE1/4  
E1/4SW1/4,  
SW1/4

- Section 10: W1/2W1/2NE1/4, W1/2
- Section 15: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4, W1/2, W1/2SE1/4
- Section 16: E1/2, NW1/4, N1/2SW1/4, NW1/4SE1/4SW1/4, E1/2SE1/4SW1/4
- Section 17: N1/2NE1/4, NE1/4SW1/4NE1/4, SE1/4NE1/4, E1/2NE1/4NW1/4, N1/2NE1/4SE1/4, SE1/4NE1/4SE1/4
- Section 21: E1/2, E1/2E1/2NW1/4, SW1/4SE1/4NW1/4, E1/2SW1/4, SE1/4SW1/4SW1/4
- Section 22: SW1/4NE1/4NE1/4, W1/2E1/2, W1/2SE1/4NE1/4, W1/2, W1/2E1/2SE1/4
- Section 26: NW1/4NW1/4NW1/4, S1/2NW1/4NW1/4, SW1/4NW1/4, W1/2E1/2SW1/4, W1/2SW1/4
- Section 27
- Section 28: E1/2, E1/2W1/2, E1/2W1/2W1/2
- Section 33: N1/2NE1/4, E1/2SW1/4NE1/4, NW1/4SW1/4NE1/4, SE1/4NE1/4, E1/2NE1/4NW1/4, NE1/4SE1/4, E1/2NW1/4SE1/4, N1/2SE1/4SE1/4, SE1/4SE1/4SE1/4
- Section 34
- Section 35: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4, NW1/4SE1/4NE1/4, S1/2SE1/4NE1/4, W1/2, SE1/4
- Section 36: W1/2SW1/4SW1/4
- (4) Township 28 South, Range 55 East, Copper River Meridian
  - Section 1: S1/2SW1/4NW1/4, SW1/4
  - Section 2
  - Section 3: NE1/4, N1/2NW1/4, N1/2SW1/4NW1/4, SE1/4NW1/4, NE1/4NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4
  - Section 4: E1/2NE1/4NE1/4
  - Section 10: that portion of Mosquito Lake
  - Section 11: N1/2, N1/2SE1/4, NE1/4SW1/4SE1/4, SE1/4SE1/4, except USS 3431
  - Section 12
  - Section 13: E1/2, NE1/4NW1/4, E1/2NW1/4NW1/4, NW1/4NW1/4NW1/4, NW1/4SE1/4NW1/4, E1/2SE1/4NW1/4
  - Section 15: that portion of Mosquito Lake
  - Section 19: Lot 13
  - Section 24: E1/2E1/2, NE1/4NW1/4NE1/4
  - Section 25: Lots 9 — 11 and 16
  - Section 26: that portion of Lot 5 and NE1/4NW1/4 south of the Haines Highway and Lots 1, 12, and 17
  - Section 27: Lots 5 — 8, 10, 13, 18, 19, and 22
  - Section 28, except S1/2S1/2, the south 660 feet of Lots 5 — 7, and that portion north of the Haines Highway
  - Section 29, except S1/2S1/2S1/2, NE1/4SE1/4SE1/4, and Lots 9, 14, 15, and 18

- Section 30: Lot 11, and Lot 6 except the south 660 feet.  
 Section 33: S1/2SE1/4SE1/4  
 Section 34: S1/2S1/2S1/2  
 Section 35: Lot 1  
 Section 36, except SW1/4NW1/4, S1/2, and the south 660 feet of  
 Lots 3 — 4
- (5) Township 28 South, Range 56 East, Copper River Meridian  
 Section 7: SW1/4NW1/4NW1/4, SW1/4NW1/4,  
 SW1/4SE1/4NW1/4, W1/2NE1/4SW1/4, SE1/4NE1/4SW1/4,  
 NW1/4SW1/4, S1/2SW1/4, SW1/4SW1/4SE1/4  
 Section 17: W1/2SW1/4SW1/4, SE1/4SW1/4SW1/4  
 Section 18: W1/2W1/2NE1/4, E1/2SW1/4NE1/4,  
 SW1/4SE1/4NE1/4, W1/2, SE1/4  
 Section 19  
 Section 20: W1/2W1/2  
 Section 29: Lots 8 — 11  
 Section 30, except Lots 1, 4, 5, 8, 15 — 17, and the NE1/4SW1/4  
 Section 31  
 Section 32, except USS 991, USS 2455, and Lots 1, 2, and 24  
 Section 33: S1/2 except USS 2455 and Lots 18 — 21  
 Section 34: Lots 1, 2, S1/2NE1/4SW1/4, W1/2SW1/4SE1/4  
 SE1/4SW1/4SE1/4
- (6) Township 28 South, Range 57 East, Copper River Meridian  
 Section 22: NE1/4SW1/4, E1/2SE1/4SW1/4, W1/2NW1/4SE1/4,  
 SW1/4SE1/4, NW1/4SE1/4SE1/4, S1/2SE1/4SE1/4  
 Section 26: W1/2SW1/4NW1/4, W1/2W1/2SW1/4  
 Section 27: E1/2E1/2, N1/2NW1/4NE1/4, SE1/4NW1/4NE1/4  
 Section 34: NE1/4NE1/4, NE1/4SE1/4NE1/4  
 Section 35: SW1/4SW1/4NE1/4, NW1/4NW1/4NW1/4,  
 S1/2NW1/4NW1/4, S1/2NW1/4, E1/2SW1/4,  
 NW1/4NW1/4SE1/4, S1/2NW1/4SE1/4, S1/2SE1/4,  
 SW1/4NE1/4SE1/4
- (7) Township 29 South, Range 55 East, Copper River Meridian  
 Section 1: S1/2NE1/4NE1/4, E1/2SW1/4NE1/4,  
 N1/2SE1/4NE1/4, SW1/4SE1/4NE1/4, NW1/4NE1/4SE1/4,  
 NE1/4NW1/4SE1/4
- (8) Township 29 South, Range 56 East, Copper River Meridian  
 Section 1  
 Section 2: N1/2NE1/4, E1/2SE1/4NE1/4, NE1/4NW1/4,  
 E1/2NE1/4SE1/4, NE1/4SE1/4SE1/4  
 Section 4: W1/2NW1/4, W1/2SE1/4NW1/4, SE1/4SE1/4NW1/4,  
 SW1/4, W1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, SW1/4SE1/4,  
 W1/2SE1/4SE1/4, SE1/4SE1/4SE1/4  
 Section 5: E1/2, N1/2NW1/4, SE1/4NE1/4SW1/4,  
 E1/2SE1/4SW1/4

0 feet.  
 th 660 feet of  
 Meridian  
 W1/4NW1/4,  
 NE1/4SW1/4,  
 SW1/4NE1/4,  
 NE1/4SW1/4  
 . 2, and 24  
 SW1/4SE1/4  
 Meridian  
 W1/4SE1/4,  
 1/4NE1/4  
 V1/4NW1/4,  
 E1/2SW1/4,  
 S1/2SE1/4,  
 Meridian  
 V1/4NE1/4,  
 E1/4SE1/4,  
 eridian  
 1/4NW1/4,  
 1/4NW1/4,  
 V1/4SE1/4,  
 1/4SW1/4,

Section 6: N1/2N1/2NE1/4, NE1/4NE1/4NW1/4,  
 S1/2NE1/4NW1/4, S1/2NW1/4NW1/4, N1/2SW1/4NW1/4,  
 NW1/4SE1/4NW1/4  
 Section 8, except SW1/4SW1/4 and S1/2SE1/4SW1/4  
 Section 9  
 Section 10: S1/2S1/2NE1/4, SW1/4NE1/4NW1/4, NW1/4NW1/4,  
 S1/2NW1/4, S1/2  
 Section 11: S1/2NE1/4, S1/2S1/2NW1/4, NE1/4SW1/4NW1/4,  
 N1/2SE1/4NW1/4, S1/2  
 Sections 12 — 14  
 Section 15: N1/2, N1/2N1/2SW1/4, E1/2SE1/4, NW1/4SE1/4,  
 E1/2SW1/4SE1/4  
 Section 16: E1/2NE1/4, E1/2W1/2NE1/4, W1/2NW1/4NE1/4,  
 NW1/4SW1/4NE1/4, N1/2N1/2NW1/4, SE1/4NE1/4NW1/4,  
 NE1/4SE1/4NW1/4  
 Section 17: N1/2NE1/4NE1/4  
 Section 22: N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4  
 Section 23: that portion of the N1/2NW1/4 lying west of Chilkat  
 Lake  
 (9) Township 29 South, Range 57 East, Copper River Meridian  
 Section 4: NW1/4NW1/4SW1/4, S1/2NW1/4SW1/4,  
 SW1/4SW1/4, NW1/4SE1/4SW1/4, S1/2SE1/4SW1/4  
 Section 5, except N1/2NE1/4, NE1/4SE1/4NE1/4, and the north  
 660 feet and the east 660 feet of Lot 2  
 Sections 6 — 8  
 USS 907  
 Section 9: W1/2W1/2NE1/4, SE1/4SW1/4NE1/4,  
 SW1/4SE1/4NE1/4, NW1/4, S1/2  
 Section 10: Lots 1 — 4, W1/2NE1/4SW1/4, NW1/4SE1/4SW1/4,  
 E1/2SW1/4SE1/4SW1/4  
 Section 14: that portion west of the Haines Highway  
 Section 15, except NE1/4NE1/4 and Lots 7 — 10, 13 — 14  
 Sections 16 — 18  
 USS 786  
 Section 19: NE1/4NE1/4NE1/4  
 Section 20: NE1/4, E1/2NW1/4, NW1/4NW1/4,  
 E1/2SW1/4NW1/4, NE1/4SE1/4, N1/2NW1/4SE1/4,  
 SE1/4NW1/4SE1/4, NE1/4SE1/4SE1/4  
 Sections 21 and 22  
 Section 23: that portion west of the Haines Highway  
 Section 25: that portion west of the Haines Highway  
 Section 26: that portion west of the Haines Highway  
 Section 27  
 Section 28: NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4,  
 N1/2SE1/4NW1/4, NE1/4SE1/4, N1/2NW1/4SE1/4,  
 SE1/4NW1/4SE1/4, NE1/4SE1/4SE1/4

Section 34: NE1/4, NE1/4NW1/4, NE1/4SE1/4NW1/4,  
NE1/4SE1/4, NE1/4NW1/4SE1/4, E1/2SE1/4SE1/4

Section 35

Section 36: that portion west of the Haines Highway

(10) Township 29 South, Range 58 East, Copper River Meridian

Section 3: S1/2SW1/4NW1/4, SW1/4NE1/4SW1/4, W1/2SW1/4,  
SE1/4SW1/4, S1/2SW1/4SE1/4

Section 4: SW1/4NE1/4NE1/4, W1/2NE1/4, SE1/4NE1/4, NW1/4,  
NE1/4SW1/4, SE1/4

Section 9: NE1/4NE1/4

Section 10: N1/2, E1/2SW1/4, E1/2W1/2SW1/4,  
NW1/4NW1/4SW1/4, SE1/4

(11) Township 30 South, Range 57 East, Copper River Meridian

Section 1

Section 2: NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4,  
SE1/4NW1/4NW1/4, N1/2SE1/4NW1/4, SE1/4SE1/4NW1/4,  
N1/2SE1/4, N1/2SE1/4SE1/4

Section 3: NE1/4NE1/4NE1/4

Section 12: NE1/4, NE1/4NW1/4, NE1/4NW1/4NW1/4,  
NE1/4SE1/4NW1/4, W1/2NE1/4SE1/4, NE1/4NW1/4SE1/4,  
E1/2E1/2SE1/4, NW1/4SE1/4SE1/4

Section 13: NE1/4NE1/4NE1/4

(12) Township 30 South, Range 58 East, Copper River Meridian

Section 6: that portion west of the Haines Highway

Section 7: that portion west of the Haines Highway

Section 8: that portion west of the Haines Highway

Section 16: that portion west of the Haines Highway

Section 17: that portion west of the Haines Highway

Section 18: Lots 1 — 3 and 5, SW1/4NE1/4, N1/2SE1/4NW1/4,  
SE1/4SE1/4NW1/4, SE1/4

(§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS  
41.20.507(a), (k). Renumbered in 1983.

**Sec. 41.21.612. Land excluded.** (a) Private land, approved or pending Native allotments, pending and approved land selections made by the Haines Borough under state law on July 1, 1982, University of Alaska grant land not located within the Chilkat River Critical Habitat Area established by AS 16.20.230(8), and existing transportation and utility corridors located partially or completely within the Alaska Chilkat Bald Eagle Preserve are excluded from the Alaska Chilkat Bald Eagle Preserve.

(b) University of Alaska grant land located within the boundary of the Chilkat River Critical Habitat Area established under AS 16.20.230(8) is excluded from the Alaska Chilkat Bald Eagle Preserve. (§ 1 ch 95 SLA 1982)

§ 41.21.612

E1/4NW1/4,  
4

Meridian  
W1/2SW1/4,

1/4, NW1/4,

W1/2SW1/4,

Meridian

V1/4NW1/4,  
E1/4NW1/4,

V1/4NW1/4,  
W1/4SE1/4,

Meridian

1/4NW1/4,

proved or  
selections  
2. Univer-  
er Critical  
ransporta-  
within the  
ne Alaska

oundary of  
nder AS  
Preserve.

§ 41.21.613

PUBLIC RESOURCES

§ 41.21.616

Revisor's notes. — Subsection (a) was AS 41.20.507(n). Reorganized and formerly the first sentence of AS 41.20.507(b). Subsection (b) was formerly renumbered in 1983.

**Sec. 41.21.613. Eminent domain prohibited.** The commissioner may not acquire private land or University of Alaska grant land located partially or completely within the Alaska Chilkat Bald Eagle Preserve by eminent domain for any purpose. (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly the last sentence of AS 41.20.507(b). Reorganized and renumbered in 1983.

**Sec. 41.21.614. Native allotments.** Approved or pending Native allotments located partially or completely within the Alaska Chilkat Bald Eagle Preserve are not adversely affected by the establishment of the Alaska Chilkat Bald Eagle Preserve and all approved allotments and all pending allotments located partially or completely within the preserve shall be treated as private land. (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS 41.20.507(c). Renumbered in 1983.

**Sec. 41.21.615. Fish and game management.** The Department of Fish and Game is responsible for the management of fish and game resources in the Alaska Chilkat Bald Eagle Preserve

(1) under applicable law and consistent with the purposes of AS 41.21.610 — 41.21.630;

(2) subject to the authority of the Secretary of the Interior to permit the taking of bald eagles for the religious purposes of an Indian tribe under 16 U.S.C. 668a (Sec. 2, Bald Eagle Protection Act). (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS 41.20.507(d). Renumbered in 1983.

**Sec. 41.21.616. Regulations.** The department shall consult with the Department of Fish and Game, the United States Fish and Wildlife Service, a local governing body of a municipality, any local fish and game advisory committees, and the Alaska Chilkat Bald Eagle Preserve Advisory Council established by AS 41.21.625 before adoption of reasonable regulations governing public use and protection of the Alaska Chilkat Bald Eagle Preserve. The Department of Fish and Game shall consult with the department and the Alaska Chilkat Bald Eagle Preserve Advisory Council in proposing regulations governing fish and game management in the Alaska Chilkat Bald Eagle Preserve for adoption by the Board of Fisheries or the Board of Game. The Department of Fish and Game and the department shall cooperate with

the United States Fish and Wildlife Service in its administration of federal law governing the conservation of bald eagles. (§ 1 ch 95 SLA 1982)

*Revisor's notes.* — Formerly AS 41.20.507(e). Renumbered in 1983.

**Sec. 41.21.617. Other uses generally.** The state land and water described in AS 41.21.611(b) are closed to mineral entry under AS 38.05.135 — 38.05.280, to commercial harvest of timber, and to sale under state land disposal laws. The commissioner may lease the land described in AS 41.21.611(b) under AS 38.05.070 — 38.05.105 for a purpose consistent with AS 41.21.610(a) and (b). A municipality may select land within the Alaska Chilkat Bald Eagle Preserve under law. (§ 1 ch 95 SLA 1982)

*Revisor's notes.* — Formerly AS 41.20.507(f). Renumbered in 1983.

**Sec. 41.21.618. Traditional uses.** Continued opportunities for traditional uses of the Alaska Chilkat Bald Eagle Preserve at levels and by methods and means that are compatible with the protection of the bald eagle population are guaranteed. These historically compatible uses include but are not limited to hunting, trapping, fishing, berry picking, other subsistence and recreational uses, operation of motorized vehicles, and the harvesting of personal-use firewood. The level and method or means of traditional use may continue subject to reasonable regulation unless the director of the division of parks of the department, after consultation with the Alaska Chilkat Bald Eagle Preserve Advisory Council, makes a finding that the level or method and means of use is causing significant resource damage that is inconsistent with AS 41.21.610(a) and (b). The director of the division of parks shall hold a public hearing in Haines and Klukwan before restricting a traditional use permitted under this section. (§ 1 ch 95 SLA 1982)

*Revisor's notes.* — Formerly AS 41.20.507(g). Renumbered in 1983.

**Sec. 41.21.619. Access and rights-of-way.** If privately owned land, University of Alaska grant land, a valid mining right, an existing mineral lease, a subsurface right on private land, or other valid occupancy is surrounded by state land of the Alaska Chilkat Bald Eagle Preserve or if privately owned land, University of Alaska grant land, federal land, municipal land, or state land not described in AS 41.21.611(b), a valid mining claim, subsurface right, or other valid occupancy on land not described in AS 41.21.611(b) does not have

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reasonable, timely, and economically feasible access and egress by means other than crossing land designated as Alaska Chilkat Bald Eagle Preserve land in AS 41.21.611(b), the director of the division of parks shall grant a private landowner, the University of Alaska, a holder of a valid existing right to land, or a state agency, municipality, or federal agency the rights necessary to assure reasonable, timely, and economically feasible access and egress. A permittee or licensee of an owner of land or the holder of a valid existing right to land may use access and egress granted under this subsection. The rights of access and egress granted under this subsection are subject to reasonable regulation and stipulations established by the director of the division of parks after consulting with the Alaska Chilkat Bald Eagle Preserve Advisory Council to protect the purposes and values of the Alaska Chilkat Bald Eagle Preserve and to minimize adverse environmental impacts in the preserve. As used in this subsection, "valid existing right" includes but is not limited to a valid mining right, an existing mineral right, and a subsurface right. The director of the division of parks shall give favorable consideration to applications for utility rights-of-way that are compatible with AS 41.21.610(a) and (b). (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS 41.20.507(h). Renumbered in 1983.

**Sec. 41.21.620. Management plan.** (a) The director of the division of parks and the Alaska Chilkat Bald Eagle Advisory Council established under AS 41.21.625, in written consultation with the United States Fish and Wildlife Service, the Department of Fish and Game, the Chilkat Indian Village, the Chilkoot Indian Association, and other appropriate groups, may use information gained through cooperative resource studies in the development of the management plan for the Alaska Chilkat Bald Eagle Preserve and in decisions affecting the management and administration of the preserve. The director of the division of parks and the advisory council shall investigate the need for additional research to increase the knowledge and understanding of the natural and cultural resources of the area and to enhance the effective management of the Alaska Chilkat Bald Eagle Preserve.

(b) The director of the division of parks and the director of the division of forestry shall consult in the preparation of the management plan prepared under (a) of this section to promote effective, efficient, and coordinated administration of the Haines State Forest Resource Management Area and the Alaska Chilkat Bald Eagle Preserve for the purposes and values for which each is established. (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS 41.20.507(i), (m). Renumbered in 1983.

Editor's notes. — Section 3, ch. 95, SLA

1982 requires that the management plan be adopted and implemented within two years after July 1, 1982.

**Sec. 41.21.621. Additions or deletions to preserve.** An agency of the state may not participate or cooperate with a federal or private study considering additions to or deletions from the area of the Alaska Chilkat Bald Eagle Preserve without giving 90 days prior notice to the Alaska Chilkat Bald Eagle Preserve Advisory Council. The director of the division of parks may waive the notice required by this subsection on the director's determination in writing to the advisory council that an emergency necessitates immediate study or a shorter period of notice to the advisory council. (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS 41.20.507(j). Renumbered in 1983.

**Sec. 41.21.622. Historical, cultural and burial sites.** Historical, cultural, and burial sites identified in the Alaska Chilkat Bald Eagle Preserve management plan are not available for surface disposal under AS 41.21.617 and shall be managed by the director of the division of parks to prevent vandalism, destruction, and desecration. (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS 41.20.507(i). Renumbered in 1983.

**Sec. 41.21.625. Alaska Chilkat Bald Eagle Preserve Advisory Council.** (a) A 12-member Alaska Chilkat Bald Eagle Preserve Advisory Council is established. The members of the advisory council shall be selected under this section.

(b) The governor shall appoint individuals to the Alaska Chilkat Bald Eagle Preserve Advisory Council representing the following interests for a two-year term:

- (1) a resident of the Haines Borough representing a conservation organization;
- (2) a representative of the United States Fish and Wildlife Service; and
- (3) a member of the Upper Lynn Canal fish and game advisory committee.

(c) The mayor of the City of Haines, the mayor of the Haines Borough, the president of Klukwan, Inc., the chairman of the Council of the Chilkat Indian Village, and the chairman of the Chilkoot Indian Association are ex officio members of the Alaska Chilkat Bald Eagle Preserve Advisory Council. The mayor of the Haines Borough may recommend to the governor for appointment to the advisory council the name of a resident of the Haines Borough for the representation of commercial or industrial interests.

(d) The commissioner of fish and game, the director of the division of parks, and the director of the division of forestry, or their designees, serve ex officio as members of the Alaska Chilkat Bald Eagle Preserve Advisory Council.

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(e) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall assist the department in the development and monitoring of a management plan for the Alaska Chilkat Bald Eagle Preserve. The management plan shall be presented at public hearings in Haines and Klukwan before approval and implementation by the department

(f) Members of the Alaska Chilkat Bald Eagle Preserve Advisory Council selected under (b) — (d) of this section may select alternates to act as members of the advisory council in their absence. (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS  
41.20.515. Renumbered in 1983.

Sec. 41.21.630. Existing rights. The establishment of the Alaska Chilkat Bald Eagle Preserve under AS 41.21.610 — 41.21.630 does not enlarge, diminish, add to, or waive a requirement of law otherwise applicable to the management or use of the state land of the Haines State Forest Resource Management Area (AS 41.15.300 — 41.15.330) or private land. An activity allowed under law on land not described in AS 41.21.611(b), including but not limited to an activity described in AS 41.21.618, timber harvest, mining, resource development, and recreation, is permitted so long as the activity is conducted in compliance with law. (§ 1 ch 95 SLA 1982)

Revisor's notes. — Formerly AS  
41.20.525. Renumbered in 1983.

### Article 6. Roadside Rests, Beaches.

#### Section

800. Selection of sites

805. Construction and maintenance of  
facilities

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Collateral references. — 59 Am. Jur.  
2d. Parks, Squares, and Playgrounds.  
§§ 25, 27, 30.  
81A C.J.S., States, §§ 146 — 148.

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Sec. 41.21.800. Selection of sites. The department and the Department of Transportation and Public Facilities shall jointly select sites of ten acres or less for their historic or scenic value, or for recreation beaches along waterways, roadside rests for travelers resting, camping, or parking, and determine what facilities are necessary or desirable at these sites. Selection of the sites for roadside rests and recreation beaches shall be based upon the flow of traffic and distances to and

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Original sponsor: Rules/Legislative Council

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 493 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

10 \* Section 1. AS 04.11.070 is amended to read:

11 Sec. 04.11.070. POWER LIMITED TO THE BOARD. Only the board may  
12 issue, renew, transfer, relocate, suspend, or revoke a license under  
13 this title.

14 \* Sec. 2. AS 04.11.370(7) is amended to read:

15 (7) use of the licensed premises as a resort for illegal  
16 possessors or users of narcotics, prostitutes, or promoters of prosti-  
17 tution [PIMPS]; in addition to any other legally competent evidence,  
18 the character of the premises may be proved by the general reputation  
19 of the premises in the community as a resort for illegal possessors or  
20 users of narcotics, prostitutes, or promoters of prostitution [PIMPS];

21 \* Sec. 3. AS 04.11.537 is amended to read:

22 Sec. 04.11.537. APPLICATION OF PRECEDENT. In determining wheth-  
23 er issuance, renewal, transfer, relocation, suspension, or revocation  
24 of a license is in the best interests of the public, the board need  
25 not conform to or distinguish its decision from any action it has  
26 taken in the past on applications presenting similar facts, but may  
27 instead base its decision only on the particular facts before it.

28 \* Sec. 4. AS 04.11.560(b) is amended to read:

29 (b) A decision by the board relating to the issuance, renewal,

1 transfer, relocation, suspension, or revocation of a license under  
2 this title may be appealed to the superior court under AS 44.62.560.

3 \* Sec. 5. AS 05.05.010(a) is amended to read:

4 (a) There is created an athletic commission within the Depart-  
5 ment of Commerce and Economic Development. The commission consists of  
6 four members appointed by the governor. One member of the commission  
7 must be appointed from each of the four judicial districts [MAJOR  
8 SENATE DISTRICTS DESCRIBED IN SEC. 2, ART. XIV OF THE STATE CONSTITU-  
9 TION]. The commissioners must be appointed for overlapping two-year  
10 terms. Members of the commission serve at the pleasure of the gover-  
11 nor and must be selected on the basis of their known interest in and  
12 knowledge of athletics in the state.

13 \* Sec. 6. AS 08.18.081(a) is amended to read:

14 (a) A person having a claim against a contractor for any of the  
15 items referred to in AS 08.18.071 may bring suit upon the bond in the  
16 district court of the judicial district in which venue lies. A copy of  
17 the complaint shall be served by registered or certified mail upon the  
18 commissioner at the time suit is filed and the commissioner shall  
19 maintain a record, available for public inspection, of all suits  
20 commenced. Two additional copies shall be served upon the director of  
21 the division of insurance with the payment [OF \$5] to the director of  
22 a fee set under AS 21.06.250, taxable as costs in the action. This  
23 service upon the director shall constitute service on the surety and  
24 the director shall transmit the complaint or a copy of it to the  
25 surety within 72 hours after it has been received. The surety upon  
26 the bond is not liable in an aggregate amount in excess of that named  
27 in the bond, but in case claims pending at any one time exceed the  
28 amount of the bond, the claims shall be satisfied from the bond in the  
29 following order:

- 1 (1) labor, including employee benefits;
- 2 (2) taxes and contributions due the state, city and bor-
- 3 ough, in that order;
- 4 (3) material and equipment;
- 5 (4) claims for breach of contract;
- 6 (5) repair of public facilities.

7 \* Sec. 7. AS 08.20.150 is repealed.

8 \* Sec. 8. AS 08.20.200 is amended to read:

9 Sec. 08.20.200. UNLICENSED PRACTICE A MISDEMEANOR. A person who  
10 practices chiropractic in the state without a license in violation of  
11 AS 08.20.100 is guilty of a misdemeanor, and upon conviction is pun-  
12 ishable by a fine of not more than \$1,000, or by imprisonment for not  
13 more than a year, or by both. [IN PROSECUTIONS UNDER THIS SECTION,  
14 EVIDENCE THAT THE DEFENDANT HAS FAILED TO FILE THE DEFENDANT'S CERTIF-  
15 ICATE OF REGISTRATION WITH THE BOARD IS PRIMA FACIE EVIDENCE THAT THE  
16 DEFENDANT IS NOT A LICENSED CHIROPRACTOR.]

17 \* Sec. 9. AS 08.54.142(b) is amended to read:

18 (b) A person may not engage in the activity of transporting by  
19 air without an annual [AIR COMMERCE] certificate as required by  
20 AS 42.30.225 [AS 02.05.040].

21 \* Sec. 10. AS 08.64.280 and 08.64.350 are repealed.

22 \* Sec. 11. AS 08.72.120 is amended to read:

23 Sec. 08.72.120. REGISTRATION. It is unlawful for a person to  
24 practice, or attempt, or offer to practice, optometry without first  
25 obtaining a certificate of registration from the board [, AND WITHOUT  
26 FILING THE CERTIFICATE WITH THE CLERK OF THE SUPERIOR COURT IN EACH  
27 JUDICIAL DISTRICT IN WHICH THE PERSON PRACTICES].

28 \* Sec. 12. AS 08.72.125(b) is amended to read:

29 (b) It is unlawful for a person to practice, or to attempt or

1 offer to practice, optometry in communities on a part-time basis  
2 without obtaining a branch office certificate of registration from the  
3 board [, AND WITHOUT FILING THE CERTIFICATE WITH THE CLERK OF THE  
4 SUPERIOR COURT IN EACH JUDICIAL DISTRICT IN WHICH THE PERSON MAINTAINS  
5 A BRANCH OFFICE].

6 \* Sec. 13. AS 08.72.130 is repealed.

7 \* Sec. 14. AS 08.88.421 is amended to read:

8 Sec. 08.88.421. EXCEPTIONS. This chapter does not apply to

9 (1) a person who is not licensed under this chapter who  
10 makes a real estate transaction with respect to real estate the person  
11 owns or on the person's own behalf, unless the transaction involves  
12 land defined in AS 34.55.044(6) which is not in Alaska;

13 (2) an attorney in fact under a power of attorney authoriz-  
14 ing the consummation of a specific real estate transaction; an attor-  
15 ney in fact may not act as such for more than two transactions in a  
16 calendar year;

17 (3) a lawyer performing duties as a lawyer;

18 (4) a public official in the conduct of official duties;

19 (5) a person acting as receiver, trustee, administrator,  
20 executor, or guardian;

21 (6) a person acting under court order;

22 (7) a person acting under the authority of a will or trust  
23 instrument;

24 (8) a person dealing in mineral rights transactions;

25 (9) [EACH OF THE FOLLOWING:

26 (A)] a domestic or foreign corporation, [OR] a general  
27 or limited partnership, [;] or

28 [(B)] a partner or regular employee of a domestic or  
29 foreign corporation or a general or limited partnership, when

1 performing an act described in AS 08.88.161 in the regular  
2 course, or as an incident to, the management, sale, or other  
3 disposition of real estate owned by the corporation or partner-  
4 ship; the exemption provided in this paragraph [SUBPARAGRAPH]  
5 does not apply to a person who performs an act described in  
6 AS 08.88.161 either as a vocation or for compensation if the  
7 amount of the compensation is dependent upon or directly related  
8 to the value of the real estate with respect to which the act is  
9 performed; [.]

10 (10) a resident manager of rented real estate if the resi-  
11 dent manager's duties are limited to the negotiation of leases and  
12 rental agreements and the collection of rent for the use of the real  
13 estate and if the resident manager is

14 (A) employed by the owner of the real estate; or

15 (B) employed by, or engaged under contract with, a  
16 licensed real estate broker.

17 \* Sec. 15. AS 09.55.010 is amended to read:

18 Sec. 09.55.010. JURISDICTION IN ACTION FOR CHANGE OF NAME. A  
19 person may bring an action for change of name in the superior court.  
20 A [NO] change of name of a person may not be made unless the court  
21 finds sufficient reasons for the change and also finds it consistent  
22 with the public interest. A change of name upon marriage, dissolu-  
23 tion, or divorce meets these requirements.

24 \* Sec. 16. AS 10.45.120 is amended to read:

25 Sec. 10.45.120. CORPORATE NAME. The corporate name of a profes-  
26 sional corporation shall contain the last name of one or more of its  
27 shareholders, unless the regulations of a particular regulating board  
28 or the ethics of a profession permit the use of a corporate name which  
29 does not include the surname of any present or former shareholder.

1 The corporate name shall be ended by the word "Corporation," [OR] "In-  
2 corporated," or "Limited," or by the abbreviation "Corp.," [OR]  
3 "Inc.," or "Ltd.," or by the words, "a professional corporation," or  
4 by the abbreviation "P.C."

5 \* Sec. 17. AS 11.81.250(a) is amended to read:

6 Sec. 11.81.250. CLASSIFICATION OF OFFENSES. (a) For purposes  
7 of sentencing under AS 12.55, all offenses defined in this title,  
8 except murder in the first and second degree, sexual assault in the  
9 first degree, sexual abuse of a minor in the first degree, misconduct  
10 involving a controlled substance in the first degree, and kidnapping,  
11 are classified on the basis of their seriousness, according to the  
12 type of injury characteristically caused or risked by commission of  
13 the offense and the culpability of the offender. Except for murder in  
14 the first and second degree, sexual assault in the first degree,  
15 sexual abuse of a minor in the first degree, misconduct involving a  
16 controlled substance in the first degree, and kidnapping, the offenses  
17 in this title are classified into the following categories:

18 (1) class A felonies, which characteristically involve  
19 conduct resulting in serious physical injury or a substantial risk of  
20 serious physical injury to a person;

21 (2) class B felonies, which characteristically involve  
22 conduct resulting in less severe violence against a person than class  
23 A felonies, aggravated offenses against property interests, or aggra-  
24 vated offenses against public administration or order;

25 (3) class C felonies, which characteristically involve  
26 conduct serious enough to deserve felony classification but not seri-  
27 ous enough to be classified as A or B felonies;

28 (4) class A misdemeanors, which characteristically involve  
29 less severe violence against a person, less serious offenses against

1 property interests, less serious offenses against public administra-  
2 tion or order, or less serious offenses against public health and  
3 decency than felonies;

4 (5) class B misdemeanors, which characteristically involve  
5 a minor risk or physical injury to a person, minor offenses against  
6 property interests, minor offenses against public administration or  
7 order, or minor offenses against public health and decency;

8 (6) violations, which characteristically involve conduct  
9 inappropriate to an orderly society but which do not denote criminal-  
10 ity in their commission.

11 \* Sec. 18. AS 11.81.250(b) is amended to read:

12 (b) The classification of each felony defined in this title,  
13 except murder in the first and second degree, sexual assault in the  
14 first degree, sexual abuse of a minor in the first degree, misconduct  
15 involving a controlled substance in the first degree, and kidnapping,  
16 is designated in the section defining it. A felony under Alaska law  
17 defined outside this title for which no penalty is specifically pro-  
18 vided is a class C felony.

19 \* Sec. 19. AS 12.55.155(c)(20) is amended to read:

20 (20) the defendant was on furlough under AS 33.30 or on  
21 parole or probation for another felony charge or conviction that would  
22 be considered a prior felony conviction under AS 12.55.145(a)(2);

23 \* Sec. 20. AS 14.08.081 is amended to read:

24 Sec. 14.08.081. RECALL. The members of a regional school board  
25 are subject to recall in accordance with AS 29.26.240 - 29.26.360,  
26 except that the director of [THE DIVISION OF] elections shall perform  
27 the functions of a municipal clerk, [AND] the lieutenant governor  
28 shall perform the functions of the assembly or council under those  
29 sections, and the last regular election is the last regularly