

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

4779 HJUD SB 413 - SB 415

37

the Real Estate Commission. AS 08.01.110(1) defines "board" to include a commission listed in AS 08.01.010.

Sec. 14. AS 08.01.065(c) was amended by sec. 1, ch. 87, SLA 1987, and repealed and reenacted by sec. 5, ch. 94, SLA 1987. The first amendment, however, had a later effective date than the repeal and reenactment, and because it added a sentence to the subsection, it was determined by the revisor that the ch. 94 amendment did not supersede the ch. 87 amendment. The Department of Law had advised the governor, in its bill review letters on the two Acts, that if the governor signed CSHB 222(Fin) am S (which became ch. 94) after he signed SCS CSHB 70(Jud) am S (which became ch. 87), the former would supersede the latter under the later enactment theory. The proposed amendment in sec. 14 of the bill would delete the language added by sec. 1, ch. 87, which is redundant to the provisions of the subsection as repealed and reenacted by ch. 94, and carry out the apparent legislative intent of the 1987 legislation.

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Sec. 31. The proposed amendment deals with old language that appears to be internally inconsistent. The existing language provides "Except as otherwise provided by law . . . the provisions of this section . . . govern exclusively and

supersede all other provisions of law . . ." (Emphasis added). Logic suggests that if the provisions of AS 39.20.-180 are exclusive and supersede all other provisions, no other provision may provide to the contrary. The proposed amendment deletes some obsolete language and resolves the inconsistency by deleting the "supersedes" language.

Sec. 32. The amendment deletes obsolete language relating to the initial appointments to the Board of Forestry.

Sec. 33. The amendment deletes obsolete language relating to the submission of the initial management plan for the Tanana State Forest to the Fourteenth Legislature. The plan was to be submitted by the 10th day of the second session of that legislature.

Sec. 34. The amendment deletes language that is redundant to the provisions of AS 41.17.231 (requiring management plans and setting out procedures, content, etc.) and clarifies the remaining provision of the amended subsection.

Sec. 35. The amendment deletes obsolete language relating to the deadline for the adoption of a management plan for the Kenai River special management area. The deadline was June 3, 1984.

Sec. 36. Deletes obsolete language relating to the initial appointees to the Historical Sites Advisory Committee.

Sec. 37. This section adds a definition section to AS 41. There are currently definitions of "commissioner" for five chapters in AS 41, and of "department" in three chapters. All definitions are for the commissioner of natural resources or the Department of Natural Resources. The enactment of the definitions for the title, and the related repeal of the eight existing definitions (in sec. 43), is consistent with the preferred approach in the Alaska Statutes in titles that primarily involve one department.

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Sec. 39. This section amends the provision that describes the general powers of the Alaska State Council on the Arts to include a reference to AS 44.27.060, which was enacted in

1980 at the same time Executive Order No. 44 transferred the council from the Governor's Office to the Department of Education. By its terms, AS 44.27.060 grants almost identical powers to the council with respect to its duties under AS 44.27.060, but the additional reference will clarify the council's powers with respect to AS 44.27.060. This change could probably be made editorially by the revisor under the authority to "delete or change sections or parts of sections if a deletion or change is necessary because of other legislative amendments which did not specifically amend or repeal them" (AS 01.05.031(b)(11)), but I would prefer to have the legislature review this change. The style of the section is also updated.

Secs. 40 and 41. AS 44.81.270(b), added by sec. 7, ch. 49, SLA 1987, conflicts with the existing provisions of AS 44.-81.270. The amendments proposed by secs. 40 and 41 resolve the conflict by incorporating the substance of the last sentence of (b) into (a), and deleting the last sentence of (b).

Sec. 42. As a part of the new municipal code (ch. 74, SLA 1985), AS 44.85.270(i) was amended to substitute a reference to AS 29.14.010 for a reference to AS 29.18.510. However, AS 29.14, which had been proposed in earlier drafts of the municipal code as a reenactment of AS 29.18.510 - 29.18.610, was dropped from the draft before passage. Consequently, there is no AS 29.14.010 in the Alaska Statutes. (AS 29.-18.510 - 29.18.610, enacted in 1978, have never become law, because the terms of the effective date provision have not been met; see sec. 7, ch. 143, SLA 1978.) The amendment proposed by this section deletes the language relating to the nonexistent law.

Sec. 43. This section contains the repeal of obsolete sections. AS 08.40.080 is obsolete as a result of the passage of ch. 94, SLA 1987. AS 15.05.016 is obsolete as a result of the elimination of the voter's certificate by ch. 116, SLA 1972. AS 15.15.213 was deleted from AS editorially after the passage of ch. 100, SLA 1980, which enacted virtually identical provisions (found in AS 15.15.198(a)). AS 19.10.220, and AS 19.25.110 and 19.25.120 are obsolete because of the passage of time. Several sections in AS 41 are proposed for repeal because they contain definitions of "commissioner" and "department" that would be redundant to the definitions that would be enacted in sec. 37 of the bill. AS 41.30 is proposed for repeal because the 1980

Representative John Sund
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repeal of the Alaska State Development Corporation made AS 41.30 meaningless. The chapter, which relates to area redevelopment, is also proposed for repeal in HB 185. AS 44.33.020(11) is obsolete as a result of the passage of ch. 94, SLA 1981. AS 44.81.010(c) became obsolete by its own terms after fiscal year 1979.

Sec. 44. This section gives a special effective date to the sections amending the school age law to tie the effective date of the amendments to the effective date of the 1987 amendments.

Sec. 45. Gives the remainder of the bill an immediate effective date.

Enclosure

cc: Senator Jay Kerttula
Art Peterson, Department of Law

DRD:bb
b5/092

STATE OF ALASKA
THE LEGISLATURE

COPY

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 3, 1988

SUBJECT: House Amendments to Revisor's Bill (SB 413)

TO: Senator Jay Kerttula, Chair
Senate Judiciary Committee

FROM: David R. Dierdorff
Revisor of Statutes

Enclosed for your review and consideration is the draft HCS CSSB 413(Jud) delivered today to Representative Sund. The draft reflects amendments requested by the subcommittee appointed to consider the bill (Representatives Barnes, Gruenberg, and Sund).

Because there is not a lot of time remaining in the second session, I was reluctant to make any changes in the bill that would require Senate concurrence. The subcommittee assured me that concurrence should not be a problem but that if it became a problem, the House could recede from their amendments. My primary concern is not with the routine technical amendments made in the bill, but with the important technical amendments made to last year's school age bill, which must become law.

To assist you and your staff, as well as Senators Josephson, Sturgulewski, and Fahrenkamp (as chair of Council), to understand the House amendments, there follows a summary of those amendments.

Summary of House Amendments to SB 413

Page 3, line 10. The words "person" and "person's" were substituted for "woman" and "woman's" to be consistent with the legislative policy of gender-neutral laws.

Page 3, lines 14 and 19; page 6, line 3. The word "custodian" was substituted for "guardian" in three occurrences in order to conform to current legal usage. A guardian is a person appointed to look after a person; a custodian is the

person appointed to manage the estate of a person. Formerly, a custodian was referred to as the "guardian of the estate," a guardian as the "guardian of the person."

Page 4, lines 22 and 23. The language of AS 06.05.180(10) was changed slightly to clarify the paragraph, which is somewhat difficult to read. The phrase "invest in those obligations either" was substituted for "invest in the obligations, either" to better reference the preceding language relating to obligations of the United States government and delete an unnecessary comma. No other change was made.

Pages 14 - 16. New bill sections 32 - 36 and 39 were added. They provide:

Sec. 32. Deletes obsolete language related to the initial appointments to the Board of Forestry.

Sec. 33. Deletes obsolete language relating to the submission of the initial management plan for the Tenana State Forest to the Fourteenth Legislature. The plan was to have been submitted by the 10th day of the second session of that legislature.

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Senator Jay Kerttula
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the council with respect to its duties under AS 44.-27.060, but the additional reference will clarify the council's powers with respect to AS 44.27.060. This change could probably be made editorially by the revisor under the authority to "delete or change sections or parts of sections if a deletion or change is necessary because of other legislative amendments which did not specifically amend or repeal them" (AS 01.05.031(b)(11)), but I would prefer to have the legislature review this change.

Page 18, line 7. AS 41.30 was added to the repealer. This chapter was made obsolete by the 1980 repeal of the Alaska State Development Corporation. The Departments of Law and Revenue agree with the need for repeal and noted that there is also a repeal proposed in HB 185, currently in Senate Finance.

If you, or any of the recipients of this memo, are aware of any reason that the House amendments would make it difficult to obtain Senate concurrence, please let me know at your earliest convenience. It is my hope that House Judiciary will be ready to send the HCS to House Rules in the next two or three days.

My sincere thanks to all of you for your cooperation in helping me keep current on this annual chore.

Enclosure

cc: Senator Joe Josephson
Senator Arliss Sturgulewski
Senator Bettye Fahrenkamp

DRD:gc
WKG3:053

STATE OF ALASKA
THE LEGISLATURE

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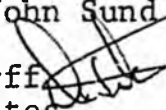
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 2, 1988

SUBJECT: Amendment of AS 41/35/140

TO: Representative Ramona Barnes
Representative Max Gruenberg
Representative John Sund

FROM: David R. Dierdorff 
Revisor of Statutes

Attached is a draft amendment I prepared for draft HCS CSSB 413(Jud). The amendment would add a new section 36 to the bill, proposing an amendment to AS 41.35.140 to delete obsolete material relating to the initial appointees to the Historical Sites Advisory Committee.

Attachment

DRD:bb
b5/084

A M E N D M E N T

Offered in the HOUSE JUDICIARY

TO: HCS CSHB 413(Judiciary)

Page 15, after line 15:

Insert a new bill section to read:

"* Sec. 36. AS 41.35.140 is amended to read:

Sec. 41.35.140. TERM OF MEMBERSHIP. The term of office for a member of the committee is three years, except for those who are members by virtue of their positions with the state, who [. THEY] serve for as long as they remain in the position by virtue of which they are members of the committee. A member appointed to fill a vacancy serves for the unexpired term of the member succeeded. [OF THOSE MEMBERS LISTED UNDER AS 41.35.120(3) AND (4), UPON INITIAL APPOINTMENT, ONE SHALL SERVE FOR ONE YEAR, TWO FOR TWO YEARS, AND TWO FOR THREE YEARS.]"

Renumber remaining bill sections accordingly.

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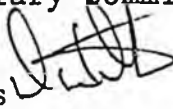
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 27, 1988

SUBJECT: HCS CSSB 413(Judiciary)

TO: Representative John Sund
Chair, House Judiciary Committee

FROM: David R. Dierdorff 
Revisor of Statutes

Enclosed is a draft House Judiciary committee substitute for SB 413, the 1988 revisor's bill. This draft incorporates five new sections (secs. 32 - 35 and 38) and adds AS 41.30 to the repealer. The new sections relating to AS 41 deal with material discovered when I completed my routine review of AS 41; the section dealing with AS 44.27 was brought to our attention by the Department of Law.

SUMMARY OF EFFECT

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

Sections that delete or repeal obsolete provisions:

Sections 23, 24, 29, 30, 32, 33, 35, and 42 of the bill delete or repeal provisions that have become obsolete either through the passage of time or other legislative action. Please note that all of the repealers are in sec. 42, a departure from the style of previous revisor's bills, in which we located repealed provisions in numerical order. The change was made to accommodate our automated "statutes affected" program in BASIS. The text of each substantive AS section proposed for repeal is attached to this memorandum as an Appendix.

Sections that update obsolete or archaic provisions:

The following sections of the bill substitute new provisions for provisions that are obsolete, archaic, or otherwise

outdated, and make conforming changes in related provisions as necessary: 1-6, 8 (in part), 11, 16, 21, 22, 30, and 31.

Sections that eliminate conflicts with other laws:

Sections 40 and 41 resolve a conflict between related provisions of the statutes.

Sections that correct errors or oversights:

The following sections of the bill correct errors or oversights in drafting, or make conforming amendments to harmonize laws passed during the same legislative session that could not be harmonized editorially: 7, 8 (in part), 9, 10, 12-15, 17-20, 22, 25-27, 37, 38, and 41.

Sections that improve the form of the statutes:

Section 34 eliminates redundant provisions. Section 36 adds a definition section applicable to all of AS 41. Related repealers in sec. 42 repeal individual definitions in portions of AS 41 that would be unnecessary with the enactment of the new provision.

SECTIONAL ANALYSIS

Sections 1 - 6. These sections change the phrase "wine gallons" to "gallons" in six sections of AS 04. Webster's New World Dictionary, 2nd college ed., defines "wine gallon" as "the old English gallon of 231 cu. in., now the standard gallon in the U.S." Consequently, these sections of the bill delete the archaic usage.

Sec. 7. This section amends AS 06.05.095 to correct an error in the original 1951 enactment. As enacted, the section was internally contradictory and did not say what it meant. If the amendment is enacted, the language of the section will conform to the interpretation that the section has always been given by the financial community.

Sec. 8. This section of the bill amends two paragraphs in AS 06.05.180, setting out the authorized trust powers of banks. Paragraph (4) is amended to update the language used in referring to incapacitated persons. Paragraph (10), added to AS 06.05.180 by sec. 1, ch. 7, SLA 1988, is amended to correct a misunderstanding of the effect of an amendment adopted last year by the House Labor and Commerce Committee.

The error was not discovered until the Department of Law reviewed the bill for the governor last month. By copy of the review letter, the revisor was asked to consider making an editorial correction under AS 01.05.031. Based upon a review of the bill file and the legislative history of the bill, it was determined that the correction needed to be made by the legislature.

As enacted, the provision of AS 06.05.180(10) that allows certain investments "for short-term cash management purposes" modifies both direct investments and investments in the form of certain securities and other interests. The intent was, apparently, to modify only investments in the form of certain securities and other interests. Thus, direct investments could be for purposes other than short-term cash management. The proposed amendment, suggested by the Department of Law, changes the location in the paragraph of the conditioning language in order to carry out the intent of the proponents of the legislation.

Secs. 9 and 10. These sections amend two provisions relating to unclaimed property upon voluntary liquidation of a bank to reflect the 1986 enactment of new laws on unclaimed or abandoned property.

Sec. 11. This section proposes an amendment to AS 06.-25.140, relating to the powers of trust companies, to update the language used to refer to incapacitated persons.

Sec. 12. Section 48, ch. 94, SLA 1987 deleted the reference to the Board of Electrical Examiners from the list in AS 08.01.010 that sets out the regulated occupations and professions that are subject to the centralized licensing provisions of AS 08.01. Instead of deleting the reference to the board (which was eliminated through repeal in the same legislation), the provision should have been amended to refer to the regulation of the occupation. This section corrects this oversight.

Sec. 13. The language proposed for deletion became redundant when AS 08.01.010 was amended in 1987 to include the Real Estate Commission. AS 08.01.110(1) defines "board" to include a commission listed in AS 08.01.010.

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Sec. 37. The division of telecommunications was repealed in 1987 by Executive Order No. 66. A reference to the division in AS 44.21.160(f) was not changed. The amendment proposed by this section corrects that oversight.

Sec. 38. This section amends the provision that describes the general powers of the Alaska State Council on the Arts to include a reference to AS 44.27.060, which was enacted in 1980 at the same time Executive Order No. 44 transferred the council from the Governor's Office to the Department of Education. By its terms, AS 44.27.060 grants almost identical powers to the council with respect to its duties under AS 44.27.060, but the additional reference will clarify the council's powers with respect to AS 44.27.060. This change could probably be made editorially by the revisor under the authority to "delete or change sections or parts of sections if a deletion or change is necessary because of other legislative amendments which did not specifically amend or repeal them" (AS 01.05.031(b)(11)), but I would prefer to have the legislature review this change.

Secs. 39 and 40. AS 44.81.270(b), added by sec. 7, ch. 49, SLA 1987, conflicts with the existing provisions of AS 44.81.270. The amendments proposed by secs. 39 and 40 resolve the conflict by incorporating the substance of the

last sentence of (b) into (a), and deleting the last sentence of (b).

Sec. 41. As a part of the new municipal code (ch. 74, SLA 1985), AS 44.85.270(i) was amended to substitute a reference to AS 29.14.010 for a reference to AS 29.18.510. However, AS 29.14, which had been proposed in earlier drafts of the municipal code as a reenactment of AS 29.18.510 - 29.18.610, was dropped from the draft before passage. Consequently, there is no AS 29.14.010 in the Alaska Statutes. (AS 29.-18.510 - 29.18.610, enacted in 1978, have never become law, because the terms of the effective date provision have not been met; see sec. 7, ch. 143, SLA 1973.) The amendment proposed by this section deletes the language relating to the nonexistent law.

Sec. 42. This section contains the repeal of obsolete sections. AS 08.40.080 is obsolete as a result of the passage of ch. 94, SLA 1987. AS 15.05.016 is obsolete as a result of the elimination of the voter's certificate by ch. 116, SLA 1972. AS 15.15.213 was deleted from AS editorially after the passage of ch. 100, SLA 1980, which enacted virtually identical provisions (found in AS 15.15.198(a)). AS 19.10.220, and AS 19.25.110 and 19.25.120 are obsolete because of the passage of time. Several sections in AS 41 are proposed for repeal because they contain definitions of "commissioner" and "department" that would be redundant to the definitions that would be enacted in sec. 36 of the bill. AS 41.30 is proposed for repeal because the 1980 repeal of the Alaska State Development Corporation made AS 41.30 meaningless. The chapter, which relates to area redevelopment, is also proposed for repeal in HB 185. AS 44.33.020(11) is obsolete as a result of the passage of ch. 94, SLA 1981. AS 44.81.010(c) became obsolete by its own terms after fiscal year 1979.

Sec. 43. This section gives a special effective date to the sections amending the school age law to tie the effective date of the amendments to the effective date of the 1987 amendments.

Sec. 44. Gives the remainder of the bill an immediate effective date.

Enclosure

cc: Senator Jay Kerttula
Art Peterson, Department of Law

DRD:bb
b5/057

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

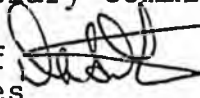
POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

MEMORANDUM

April 8, 1988

SUBJECT: The 1988 Revisor's Bill (CSSB 413(Jud) am)

TO: Representative John Sund
Chair, House Judiciary Committee

FROM: David R. Dierdorff 
Revisor of Statutes

As you probably know, CSSB 413(Jud) am passed the Senate yesterday. The floor amendment deleted former sec. 24 of the CS. Consequently, in the latest sectional analysis for the CS (published as Senate Journal Supplement #32, March 18, 1988), all references to sec. 24 should be deleted and the material for former secs. 25 - 40 should be read as describing secs. 24 - 39 of the engrossed bill.

For your information, the deleted section related to the default rate on student loans as the rate relates to qualifications for further loans to attend certain institutions. The section became something of a hot potato and it was decided that the necessary technical correction, together with a review of the policy underlying the adoption of the substantive provision last year, should be considered by the HESS committees in separate legislation.

I will be happy to meet with you, other members of your committee. and staff, at their convenience to discuss this year's bill.

DRD:bb
b4/107

Original sponsor: Rules/Legislative Council

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
 2 HOUSE CS FOR CS FOR SENATE BILL NO. 413 (Judiciary)
 3 IN THE LEGISLATURE OF THE STATE OF ALASKA
 4 FIFTEENTH 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 04.11.120(b) is amended to read:

11 (b) A sale under a bottling works license may be made only to a
 12 person licensed under this title and only in quantities of more than
 13 five [WINE] gallons.

14 * Sec. 2. AS 04.11.130(b) is amended to read:

15 (b) A brewery license authorizes the holder to sell beer in
 16 quantities of more than five [WINE] gallons to persons licensed to
 17 sell beer under this title.

18 * Sec. 3. AS 04.11.140(b) is amended to read:

19 (b) A winery license authorizes the holder to sell wine to
 20 persons licensed under this title in quantities of more than five
 21 [WINE] gallons.

22 * Sec. 4. AS 04.11.160(b) is amended to read:

23 (b) A wholesale malt beverage and wine license authorizes the
 24 holder to sell malt beverages and wine in the original packages in
 25 quantities of not less than five [WINE] gallons. The holder of a
 26 wholesale malt beverage and wine license may not sell to a person not
 27 licensed under this title except as provided in AS 04.21.040. The
 28 annual wholesale malt beverage and wine license fee is \$200 for the
 29 first \$20,000 of business transacted during a year, payable at the

1 time of making an original application or application for renewal. In
2 addition, the following annual fees shall be paid by a holder of a
3 wholesale malt beverage and wine license:

4 Business Transacted During Year	Fee
5 over \$20,000 and not over \$50,000	\$ 300
6 over \$50,000 and not over \$100,000 . . .	\$ 1,000
7 over \$100,000 and not over \$150,000 . . .	\$ 1,500
8 over \$150,000 and not over \$200,000 . . .	\$ 2,000
9 over \$200,000 and not over \$400,000 . . .	\$ 4,000
10 over \$400,000 and not over \$600,000 . . .	\$ 6,000
11 over \$600,000 and not over \$800,000 . . .	\$ 8,000
12 over \$800,000	\$10,000

13 * Sec. 5. AS 04.11.200(b) is amended to read:

14 (b) A sale by a holder of a retail stock sale license may only
15 be in quantities of five [WINE] gallons or more per sale and may only
16 be to persons licensed under this chapter.

17 * Sec. 6. AS 04.16.130(b) is amended to read:

18 (b) This section does not apply to stocks of beer carried on a
19 delivery truck by a licensed wholesaler if carried for the purpose of
20 sale and delivery to persons licensed under this title in quantities
21 of not less than 10 [WINE] gallons for each sale.

22 * Sec. 7. AS 06.05.095 is amended to read:

23 Sec. 06.05.095. PAYMENT OF ITEMS. If the balance in an [ANY]
24 account subject to withdrawal by or upon the order of a depositor is
25 insufficient to pay an [EQUALS OR EXCEEDS THE AMOUNT OF ANY] item
26 presented for payment, a bank may select from the items that [WHICH]
27 in the aggregate exceed the balance the items to be paid in the [ANY]
28 order convenient to the bank.

29 * Sec. 8. AS 06.05.180, as amended by sec. 1, ch. 7, SLA 1988, is
HCS CSSB 413(Jud)

1 amended to read:

2 Sec. 06.05.180. POWERS AS TRUSTEE AUTHORIZED. Every bank organ-
3 ized under this chapter, subject to the restrictions and limitations
4 of laws and the regulations of the department, may

5 (1) act as trustee under any mortgage or bond issued by the
6 state, or any municipality, body politic, or corporation, foreign or
7 domestic, and accept and execute any municipal or corporate trust not
8 prohibited by the laws of this state;

9 (2) accept a trust from, and execute a trust for a married
10 person [WOMAN] in respect to the married person's [WOMAN'S] separate
11 property, and act as agent in the management of the property or
12 transact any business in relation to the property;

13 (3) act under the order or appointment of a court of compe-
14 tent jurisdiction including any probate court as custodian [GUARDIAN],
15 receiver, or trustee of the estate of a minor, and as depository of
16 money paid into court for the benefit of any person, corporation, or
17 party, and in any other fiduciary capacity;

18 (4) act under the order or appointment of a court of compe-
19 tent jurisdiction including any probate court as trustee, custodian
20 [GUARDIAN], receiver or committee of the estate of an incapacitated
21 person, as defined in AS 13.26.005, or of a [LUNATIC, IDIOT,]
22 spendthrift, [PERSON OF UNSOUND MIND OR HABITUAL DRUNKARD,] or as
23 receiver or committee of the property or estate of a [ANY] person in
24 insolvency or bankruptcy proceedings;

25 (5) act as executor or administrator with or without the
26 will annexed of the estate of a deceased person;

27 (6) accept and execute any legal trust, duty and power in
28 regard to the holding, management and disposition of any estate, real
29 or personal, wherever located, and the rents and profits from it, or

1 the sale of it, as may be granted or confided to it by a court of
2 competent jurisdiction including any probate court or by any person,
3 corporation, municipality or other authority, and is accountable to
4 all parties in interest for the faithful discharge of every trust,
5 duty, or power which it may accept;

6 (7) accept and execute any trust or power conferred upon it
7 by any person or any body politic or domestic or foreign corporation,
8 or any other authority, grant, assignment, transfer, devise, bequest
9 or otherwise, or which may be entrusted or committed or transferred to
10 it by order of a court of competent jurisdiction including any probate
11 court;

12 (8) receive, manage, hold and dispose of according to the
13 terms of any trust or power any property or estate, real or personal,
14 which may be the subject of any such trust or power;

15 (9) act as the fiscal or transfer agent of the United
16 States or of any state, territory, municipality, or other body poli-
17 tic, and in this capacity may receive and disburse money [MONEYS],
18 transfer, register and countersign certificates of stocks, bonds, or
19 other evidences of indebtedness;

20 (10) whenever the instrument or power governing the fidu-
21 ciary relationship directs, requires, authorizes, or permits invest-
22 ment in obligations of the United States government, invest in those
23 [THE] obligations [, FOR SHORT-TERM CASH MANAGEMENT PURPOSES,] either
: directly or, for short-term cash management purposes, in the form of
3 securities of, or other interests in, a money market mutual fund
operating as an open-end management type investment company or in-
vestment trust registered under 15 U.S.C. 80a-1 - 80a-64 (Investment
Company Act of 1940), if

(A) the portfolio of the investment company or

1 investment trust is limited to obligations of the United States
2 government and repurchase agreements fully collateralized by the
3 obligations; and

4 (B) the investment company or investment trust takes
5 delivery of the collateral directly or through an authorized
6 custodian.

7 * Sec. 9. AS 06.05.465(f) is amended to read:

8 (f) The contents of safe deposit boxes which have not been
9 removed within 30 days after demand shall be opened and the contents
10 dealt with in the manner provided for boxes upon which the payment of
11 rental is in default, and the sealed packages containing the contents
12 and the certificates together with any other unclaimed property held
13 by the bank as bailee and certified inventories of that property shall
14 be transferred to the department which shall retain it for five years
15 unless claimed by the person entitled to it before that time. After
16 five years the department shall [SELL OR OTHERWISE APPROPRIATELY]
17 dispose of the property under AS 34.45.110 - 34.45.780. [THE PROCEEDS
18 OF ANY SALE SHALL BE TRANSFERRED TO THE STATE TREASURY AND SHALL BE
19 DEPOSITED IN THE GENERAL FUND.]

20 * Sec. 10. AS 06.05.465(i) is amended to read:

21 (i) Any unclaimed distribution to a stockholder or a depositor
22 shall be held until 90 days after the final distribution and then
23 transmitted to the department. Unclaimed funds of a stockholder or a
24 depositor shall be held by the department for five years and, unless
25 claimed by the person entitled to them before that date, shall be
26 disposed of under AS 34.45.110 - 34.45.780 [TRANSFERRED TO THE STATE
27 TREASURY AND DEPOSITED IN THE GENERAL FUND].

28 * Sec. 11. AS 06.25.140 is amended to read:

29 Sec. 06.25.140. ESTATES OF INCAPACITATED PERSONS [INCOMPETENTS].

1 A trust company may act under the order or appointment of a court of
2 competent jurisdiction including any probate court as trustee,
3 custodian [GUARDIAN], receiver or committee of the estate of an
4 incapacitated person, as defined in AS 13.26.005, or of a [LUNATIC,
5 IDIOT,] spendthrift. [PERSON OF UNSOUND MIND OR HABITUAL DRUNKARD,] or
6 as receiver or committee of the property or estate of a [ANY] person
7 in insolvency or bankruptcy proceedings, and act as executor or
8 administrator with or without the will annexed of the estate of a
9 [ANY] deceased person.

10 * Sec. 12. AS 08.01.010 is amended by adding a new paragraph to read:

11 (28) regulation of electrical administrators under AS 08.40.

12 * Sec. 13. AS 08.01.035 is amended to read:

13 Sec. 08.01.035. APPOINTMENTS AND TERMS. Members of boards
14 subject to this chapter [AND MEMBERS OF THE REAL ESTATE COMMISSION
15 UNDER AS 08.88] are appointed for staggered terms of four years. A
16 member of a board serves until a successor is appointed. An appoint-
17 ment to fill a vacancy on a board is for the remainder of the un-
18 expired term. A member who has served all or part of two successive
19 terms on a board may not be reappointed to that board unless four
20 years have elapsed since the person has last served on the board.

21 * Sec. 14. AS 08.01.065(c) is amended to read:

22 (c) A fee established under this section should reflect, but
23 should not exceed, the actual costs to the department of the activity
for which the fee is charged except that the department may establish
a fee that is less than the cost of the activity for which the fee is
charged if the department determines that it is not reasonable to
impose the full cost of the activity on the applicant or licensee.
[THE ACTUAL OR ANTICIPATED COSTS TO THE DEPARTMENT OF SERVICES PROVID-
ED TO OR ON BEHALF OF A BOARD MUST REFLECT, TO THE EXTENT POSSIBLE,

1 THE AMOUNT OF FEES THE DEPARTMENT COLLECTS FROM PERSONS IN OCCUPATIONS
2 REGULATED BY THE BOARD.]

3 * Sec. 15. AS 08.40.190(c) is amended to read:

4 (c) Work within the exclusionary provisions of this section is
5 nevertheless subject to the inspection provisions of AS 08.40.070 and
6 must follow the regulations regarding workmanship adopted by the
7 department [BOARD].

8 * Sec. 16. AS 09.45.730 is amended to read:

9 Sec. 09.45.730. TRESPASS BY CUTTING OR INJURING TREES OR SHRUBS.
10 A person who without lawful authority cuts down, girdles, or otherwise
11 injures or removes [CARRIES OFF] a tree, timber, or a shrub on (1)
12 the land of another person or on the street or highway in front of a
13 person's house, or (2) [OF] a village [, TOWN,] or municipal [CITY]
14 lot, or cultivated grounds, or [ON] the commons or public land
15 [GROUNDS? of a village [, TOWN,] or municipality [CITY], or (3) [ON]
16 the street or highway in front of land described in (2) of this sec-
17 tion [THEM, WITHOUT LAWFUL AUTHORITY], is liable to the owner of that
18 land, or to the village [, TOWN,] or municipality [CITY] for treble
19 the amount of damages which may be assessed in a civil action. Howev-
20 er, if the trespass was unintentional [CASUAL] or involuntary, or the
21 defendant had probable cause to believe that the land on which the
22 trespass was committed was the defendant's own or that of the person
23 in whose service or by whose direction the act was done, or where the
24 timber was taken from unenclosed woodland for the purpose of repairing
25 a public highway or bridge on or adjoining [UPON] the land [OR ADJOIN-
26 ING IT], only actual damages may be recovered.

27 * Sec. 17. AS 09.63.040(c) is amended to read:

28 (c) A verification made under this section may be in substan-
29 tially the following form:

1 I _____ say [SAYS] on oath or affirm [AFFIRMS] that I have
2 [HE (OR SHE) HAS] read the foregoing (or attached) document and be-
3 lieve [BELIEVES] all statements made in the document are true.

4
5 _____
6 Signature

7
8 Subscribed and sworn to or affirmed before me at _____ on

9 _____
10 (date)

11 _____
12 Signature of Officer

13 _____
14 Title of Officer

15 * Sec. 18. AS 12.55.035(b) is amended to read:

16 (b) Upon conviction of an offense, a defendant who is not an
17 organization may be sentenced to pay, unless otherwise specified in
18 the provision of law defining the offense, a fine of no more than

19 (1) \$75,000 for murder in the first or second degree,
20 sexual assault in the first degree, sexual abuse of a minor in the
21 first degree, kidnapping, or misconduct involving a controlled sub-
22 stance in the first degree;

23 (2) \$50,000 for a class A, B, or C felony;

24 (3) \$5,000 for a class A misdemeanor;

25 (4) \$1,000 for a class B misdemeanor;

26 (5) \$300 for a violation.

27 * Sec. 19. AS 14.03.070 is amended to read:

28 Sec. 14.03.070. SCHOOL AGE. A child who is six years of age [OR
29 WHO WILL BECOME SIX YEARS OF AGE] before August 15 following
HCS CSSB 413(Jud) -8-

1 [PRECEDING] the beginning of the school year, and who is under the age
2 of 20 and has not completed the 12th grade, is of school age.

3 * Sec. 20. AS 14.03.080(d) is amended to read:

4 (d) A child who is five years of age before August 15 following
5 [PRECEDING] the beginning of the school year, and who is under school
6 age, may enter a public school kindergarten.

7 * Sec. 21. AS 14.11.115(c)(1) is amended to read:

8 (1) "debt" means the principal amount of the direct and
9 general obligation indebtedness of the municipality for which all
10 taxable property is subject to taxation to pay the bond, note or other
11 evidence of the debt, determined annually by the Department of Commu-
12 nity and Regional Affairs in consultation with each municipality that
13 is a school district and reported to the municipality and the commis-
14 sioner of education; the determination shall be made by October 1 and
15 report the outstanding debt as of July 1 of that year [IN ACCORDANCE
16 WITH AS 14.17.140(c)];

17 * Sec. 22. AS 14.25.110(g) is amended to read:

18 (g) A member who is eligible for a service retirement salary
19 under this chapter or under the Retirement Act of 1945 is entitled to
20 a benefit of at least \$25 per month for each year of credited service,
21 excluding adjustments made under AS 14.25.142 or 14.25.143. If the
22 member elected option two under former AS 14.25.063(b)(2) for payment
23 of any indebtedness when the member initially applied for a retirement
benefit, or if the member elected to receive an early retirement
benefit under (b) of this section, the resulting benefit reduction
continues in effect.

* Sec. 23. AS 14.30.030 is amended to read:

Sec. 14.30.030. REPORT OF VIOLATIONS AND PROCEDURES. The chief
administrative officer of a district school or regional educational

1 attendance area shall report all apparent violations of AS 14.30.010
2 to the governing body of the district. The governing body shall, on
3 receiving the report or on the complaint of any person, provide for a
4 full and impartial investigation of all charges of violation. In
5 private or federal schools, the chief administrative officer shall
6 make a full and impartial investigation of all apparent violations.
7 If it reasonably appears upon investigation that a person has violated
8 AS 14.30.010, the governing body of a district school or regional
9 educational attendance area, or the chief administrative officer of a
10 private or federal school, shall make and file with the district court
11 a complaint against the person, charging the violation. [THE JUDGE OR
12 MAGISTRATE MAY ISSUE A WARRANT FOR THE ARREST OF THE PERSON AND MAY
13 ACT UPON THE COMPLAINT.]

14 * Sec. 24. AS 15.13.020(d) is repealed and reenacted to read:

15 (d) Members of the commission serve staggered terms of five
16 years, or until a successor is appointed and qualifies. The terms of
17 no two members who are members of the same political party may expire
18 in consecutive years. A member may not serve more than one term.
19 However, a person appointed to fill the unexpired term of a predeces-
20 sor may be appointed to a successive full five-year term.

21 * Sec. 25. AS 15.25.040(a) is amended to read:

22 (a) The declaration is filed by either

23 (1) the actual physical delivery of the declaration in
24 person or by mail at or before 5:00 p.m., prevailing time, June 1 of
25 the year in which a general election is held for the office, or

26 (2) the actual physical delivery by telegram of a copy in
27 substance of the statements made in paragraphs (1) - (5) of the decla-
28 ration as required by AS 15.25.030 at or before 5:00 p.m., prevailing
29 time, June 1 of the year in which a general election is held for the

1 office and also the actual physical delivery of the declaration con-
2 taining paragraphs (1) - (16) [(1) - (15)] as required by AS 15.25.030
3 by registered mail which is received not more than 15 days after that
4 time.

5 * Sec. 26. AS 23.20.350(e) is amended to read:

6 (e) An individual who is eligible under (d) of this section is
7 entitled to receive a weekly benefit under this chapter for the number
8 of weeks set out in column (B) of the table in this subsection oppo-
9 site the applicable earnings ratio of the individual set out in column
10 (A):

(A)	(B)
Earnings Ratio	Number of Weeks
less than <u>1.50</u> [1.49]	16
1.50 - 1.99	18
2.00 - 2.49	20
2.50 - 2.99	22
3.00 - 3.49	24
3.50 or more	26

13 * Sec. 27. AS 24.60.030(c) is amended to read:

14 (c) Conflicts of interest are prohibited but there is not a
15 conflict of interest if, as to a specific matter, there is no substan-
16 tial impropriety or appearance of impropriety because

- 17 (1) the person's interest is relatively insignificant; or
- 18 (2) the person's authority is relatively far removed from

19 any official action that could reasonably be affected by the potential
20 conflict of interest, provided that no attempt has been made to remove
21 the appearance of impropriety by delegating responsibility for offi-
22 cial action.

23 * Sec. 28. AS 28.10.441(8) is amended to read:

1 (8) special permit for vehicle used for transport of dis-
2 abled or handicapped person issued under AS 28.10.495 [AS PROVIDED IN
3 AS 28.10.215] none.

4 * Sec. 29. AS 37.14.160 is amended to read:

5 Sec. 37.14.160. DUTIES OF COMMISSIONER OF REVENUE. The commis-
6 sioner of revenue is the treasurer of the fund [FUNDS] created in
7 AS 37.14.110 [AS 37.14.010 AND 37.14.110] and shall

8 (1) act as official custodian of the cash and securities
9 belonging to the fund [THOSE FUNDS] and provide adequate safe deposit
10 facilities for it [EACH OF THEM];

11 (2) receive cash belonging to the fund [THOSE FUNDS];

12 (3) collect the principal on securities acquired for the
13 [EACH] fund [ESTABLISHED UNDER AS 37.14.010 AND 37.14.110] and credit
14 the [EACH] fund accordingly;

15 (4) collect interest and dividends earned on investments of
16 the fund [FUNDS ESTABLISHED UNDER AS 37.14.010 AND 37.14.110] and
17 credit the income reserve account of the [EACH] fund accordingly;

18 (5) invest and reinvest the principal of the [EACH] fund in
19 accordance with AS 37.14.170.

20 * Sec. 30. AS 37.14.170 is amended to read:

21 Sec. 37.14.170. INVESTMENTS. (a) The commissioner of revenue,
22 with the approval of the [EACH] advisory board created in AS 37.14.120
23 [AS 37.14.020 AND 37.14.120], may invest the principal of the fund
[FUNDS] created in AS 37.14.110 [AS 37.14.010 AND 37.14.110] in the
same manner as specified for the investment of surplus pension funds
under AS 39.35.110.

(b) The commissioner of revenue may

(1) invest and reinvest the principal of the fund [FUNDS];

(2) sell, exchange, convey, transfer, or otherwise dispose

1 of investments of the fund [FUNDS] by private contract or at public
2 auction;

3 (3) vote upon a stock, bond, or other security; give a
4 general or special proxy or power of attorney with or without power of
5 substitution; exercise a conversion privilege, subscription right, or
6 other option and make payments incidental to it; consent to or partic-
7 ipate in a corporate reorganization or other change affecting corpo-
8 rate securities, delegate discretionary power, pay an assessment or
9 charge in connection with the delegation; and generally exercise any
10 of the powers of an owner with respect to stocks, bonds, securities,
11 or other investments held in the fund [FUNDS];

12 (4) make, execute, acknowledge, and deliver documents of
13 transfer and conveyance and instruments necessary or appropriate to
14 carry out the powers granted;

15 (5) register investments held in the [A] fund in the name
16 of the public school fund advisory board [HAVING THE POWER TO APPROVE
17 INVESTMENTS FOR A FUND];

18 (6) do all acts whether or not expressly authorized that
19 [WHICH] are considered proper for the protection of the investments
20 held in the fund [FUNDS].

21 * Sec. 31. AS 39.20.180 is amended to read:

22 Sec. 39.20.180. TRANSPORTATION AND PER DIEM EXPENSES FOR MEMBERS
23 OF BOARDS, COMMISSIONS, ETC. Except as otherwise provided by law,
[FROM AND AFTER MARCH 27, 1962,] the provisions in this section re-
lating to per diem and transportation govern exclusively [AND SUPER-
SEDE ALL OTHER PROVISIONS OF LAW] with respect to a member of a state
board, commission, committee, judicial council, or other similar body
of persons of the state organized or established under the authority
of law, but excluding any other state employee other than a

1 legislator, who is otherwise entitled by law to receive from the state
2 payments for expenses of transportation, and for reimbursement or for
3 per diem in lieu of reimbursement for other expenses incident to
4 duties as such member:

5 (1) for [FOR] transportation, the member is entitled either
6 to the use of state transportation requests, or to be reimbursed for
7 expenses of transportation to the same extent, in the same manner, and
8 under the same conditions as provided for state officials and employ-
9 ees by the provisions of AS 39.20.110 - 39.20.170; [.]

10 (2) for [FOR] reimbursement for other expenses, the member
11 is entitled to a per diem allowance prescribed by the commissioner of
12 administration under the regulatory authority set out in AS 39.20.160
13 for each day or portion of a day spent in actual meeting or on au-
14 thORIZED official business incident to duties as a member.

15 * Sec. 32. AS 41.17.043 is amended to read:

16 Sec. 41.17.043. TERMS OF OFFICE. The term of office of a member
17 of the board is three years [; THE GOVERNOR SHALL MAKE THE INITIAL
18 APPOINTMENTS TO THE BOARD IN SUCH A WAY THAT FOUR NOMINATIONS EXPIRE
19 DURING 1980, FOUR APPOINTMENTS EXPIRE DURING 1981, AND THREE APPOINT-
20 MENTS EXPIRE DURING 1982]. The state forester serves an indefinite
21 term, ex officio.

22 * Sec. 33. AS 41.17.400(b) is amended to read:

23 (b) The commissioner shall prepare a management plan for the
24 Tanana Valley State Forest under AS 41.17.230. [THE COMMISSIONER
25 SHALL SUBMIT THE MANAGEMENT PLAN TO THE LEGISLATURE FOR ITS APPROVAL
26 WITHIN THE FIRST 10 DAYS OF THE SECOND SESSION OF THE FOURTEENTH STATE
27 LEGISLATURE. THE MANAGEMENT PLAN FOR THE TANANA VALLEY STATE FOREST
28 IS APPROVED UNLESS THE LEGISLATURE ADOPTS LEGISLATION DISAPPROVING THE
29 MANAGEMENT PLAN.]

1 * Sec. 34. AS 41.17.400(c) is amended to read:

2 (c) In addition to [THE COMMISSIONER SHALL CONSIDER AND PERMIT]
3 the uses described in AS 41.17.230(e), the [WITHIN THE TANANA VALLEY
4 STATE FOREST, SUBJECT TO THE PROCEDURES ESTABLISHED IN AS 41.17.-
5 230(f). THE] commissioner may establish transportation corridors
6 within the Tanana Valley State Forest.

7 * Sec. 35. AS 41.21.506(a) is amended to read:

8 (a) The [WITHIN TWO YEARS FROM JUNE 2, 1984 THE] commissioner
9 shall develop and adopt a comprehensive management plan for the Kenai
10 River Special Management Area in consultation with the Kenai Peninsula
11 Borough. The plan may include the land adjacent to the rivers de-
12 scribed in AS 41.21.502(a)(1) - (3) whether the land is owned by the
13 state or privately owned and may include other land considered appro-
14 priate by the commissioner and the Kenai Peninsula Borough. The
15 commissioner shall periodically review the plan and adopt changes to
16 the plan in consultation with the Kenai Peninsula Borough.

17 * Sec. 36. AS 41.35.140 is amended to read:

18 Sec. 41.35.140. TERM OF MEMBERSHIP. The term of office for a
19 member of the committee is three years, except for those who are
20 members by virtue of their positions with the state, who [. THEY]
21 serve for as long as they remain in the position by virtue of which
22 they are members of the committee. A member appointed to fill a
23 vacancy serves for the unexpired term of the member succeeded. [OF
24 THOSE MEMBERS LISTED UNDER AS 41.35.120(3) AND (4), UPON INITIAL
25 APPOINTMENT, ONE SHALL SERVE FOR ONE YEAR, TWO FOR TWO YEARS, AND TWO
26 FOR THREE YEARS.]

27 * Sec. 37. AS 41.99 is amended by adding a new section to read:

28 Sec. 41.99.900. DEFINITIONS. In this title, unless the context
29 requires otherwise,

1 (1) "commissioner" means the commissioner of natural re-
2 sources;

3 (2) "department" means the Department of Natural Resources.

4 * Sec. 38. AS 44.21.160(f) is amended to read:

5 (f) The department [DIVISION OF DATA PROCESSING] shall provide
6 [COORDINATE WITH THE DIVISION OF TELECOMMUNICATIONS IN PROVIDING] for
7 the effective transfer of information by telecommunications through
8 the establishment of compatible systems and common standards.

9 * Sec. 39. AS 44.27.052 is amended to read:

10 Sec. 44.27.052. POWERS OF COUNCIL. The council may (1) [IS
11 AUTHORIZED AND EMPOWERED TO] hold public and private hearings; (2) [,
12 TO] enter into contracts, within the limit of funds available, with
13 individuals, organizations, and institutions for services furthering
14 the educational objectives of the council's programs; (3) [TO] enter
15 into contracts, within the limit of funds available, with local and
16 regional associations for cooperative endeavors furthering the educa-
17 tional objectives of the council's programs; (4) [TO] accept gifts,
18 contributions, and bequests of unrestricted funds from individuals,
19 foundations, corporations, and other organizations or institutions for
20 the purpose of furthering the educational objectives of the council's
21 programs; and (5) [TO] make and sign agreements and to do and perform
22 any acts necessary to carry out the purposes of AS 44.27.040 - 44.27.-
23 060 [AS 44.27.040 - 44.27.058]. The council may request and is
entitled to receive from any department, division, board, bureau,
commission, or agency of the state the assistance and data that
[WHICH] will enable it properly to carry out its powers and duties.
The council is authorized to receive state funds made available for
its purposes.

* Sec. 40. AS 44.21.270(a) is amended to read:

1 (a) At the direction of the Legislative Budget and Audit Commit-
2 tee under AS 24.20.271, the [THE] legislative auditor may conduct an
3 audit of [CAUSE] the bank [TO BE AUDITED IN THE MANNER AND UNDER THE
4 CONDITIONS PRESCRIBED BY AS 24.20.271 FOR AUDITS PERFORMED BY THE
5 LEGISLATIVE AUDIT DIVISION]. The legislative audit division has free
6 access to all books and papers of the bank that relate to its business
7 and books and papers kept by a director, officer, or employee relating
8 to or upon which a record of its business is kept, and may summon
9 witnesses and administer oaths or affirmations in the examination of
10 the directors, officers, or employees of the bank or any other person
11 in relation to its affairs, transactions, and conditions, and may
12 require and compel the production of records, books, papers, con-
13 tracts, or other documents by court order if not voluntarily produced.

14 * Sec. 41. AS 44.81.270(b) is amended to read:

15 (b) The bank shall be audited annually by independent outside
16 auditors. The legislative auditor may confer with the outside audi-
17 tors and review the workpapers of the audit. [AT THE DIRECTION OF THE
18 LEGISLATIVE BUDGET AND AUDIT COMMITTEE UNDER AS 24.20.271, THE LEGIS-
19 LATIVE AUDITOR MAY CONDUCT AN AUDIT OF THE BANK.]

20 * Sec. 42. AS 44.85.270(i) is amended to read:

21 (i) All references to the "reserve fund" in this section include
22 special accounts within the reserve fund which may be created by the
23 authority to secure the payment of particular bonds [, INCLUDING,
24 WITHOUT LIMITATION, BONDS ISSUED BY THE CAPITAL CITY ESTABLISHED UNDER
25 AS 29.14.010]. The commissioner of revenue may lend surplus money in
26 the general fund to the authority for deposit to any account in the
27 reserve fund in an amount equal to the required debt service reserve.
28 The loans shall be made on such terms and conditions as may be agreed
29 upon by the commissioner of revenue and the authority, including,

1 without limitation, terms and conditions providing that the loans need
2 not be repaid until the obligations of the corporation secured and to
3 be secured by the account in the reserve fund are no longer outstand-
4 ing.

5 * Sec. 43. AS 08.40.080; AS 15.05.016; AS 15.15.213; AS 19.10.220;
6 AS 19.25.110, 19.25.120; AS 41.06.060(1); AS 41.15.170(1); AS 41.17.950(3),
7 41.17.950(4); AS 41.21.990(1), 41.21.990(2); AS 41.30; AS 41.35.230(1),
8 41.35.230(3); AS 44.33.020(11); and AS 44.81.010(c) are repealed.

9 * Sec. 44. Sections 19 and 20 of this Act take effect July 1, 1988.

10 * Sec. 45. Except for secs. 19 and 20, this Act takes effect immediate-
11 ly under AS 01.10.070(c).

5-1406N
Dierdorff
5/3/88

Original sponsor: Rules/Legislative Council

Adopted
4/3/88

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 413 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH 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 04.11.120(b) is amended to read:

11 (b) A sale under a bottling works license may be made only to a
12 person licensed under this title and only in quantities of more than
13 five [WINE] gallons.

14 * Sec. 2. AS 04.11.130(b) is amended to read:

15 (b) A brewery license authorizes the holder to sell beer in
16 quantities of more than five [WINE] gallons to persons licensed to
17 sell beer under this title.

18 * Sec. 3. AS 04.11.140(b) is amended to read:

19 (b) A winery license authorizes the holder to sell wine to
20 persons licensed under this title in quantities of more than five
21 [WINE] gallons.

22 * Sec. 4. AS 04.11.160(b) is amended to read:

23 (b) A wholesale malt beverage and wine license authorizes the
24 holder to sell malt beverages and wine in the original packages in
25 quantities of not less than five [WINE] gallons. The holder of a
26 wholesale malt beverage and wine license may not sell to a person not
27 licensed under this title except as provided in AS 04.21.040. The
28 annual wholesale malt beverage and wine license fee is \$200 for the
29 first \$20,000 of business transacted during a year, payable at the

1 time of making an original application or application for renewal. In
 2 addition, the following annual fees shall be paid by a holder of a
 3 wholesale malt beverage and wine license:

Business Transacted During Year	Fee
over \$20,000 and not over \$50,000	\$ 300
over \$50,000 and not over \$100,000 . . .	\$ 1,000
over \$100,000 and not over \$150,000 . . .	\$ 1,500
over \$150,000 and not over \$200,000 . . .	\$ 2,000
over \$200,000 and not over \$400,000 . . .	\$ 4,000
over \$400,000 and not over \$600,000 . . .	\$ 6,000
over \$600,000 and not over \$800,000 . . .	\$ 8,000
over \$800,000	\$10,000

13 * Sec. 5. AS 04.11.200(b) is amended to read:

14 (b) A sale by a holder of a retail stock sale license may only
 15 be in quantities of five [WINE] gallons or more per sale and may only
 16 be to persons licensed under this chapter.

17 * Sec. 6. AS 04.16.130(b) is amended to read:

18 (b) This section does not apply to stocks of beer carried on a
 19 delivery truck by a licensed wholesaler if carried for the purpose of
 20 sale and delivery to persons licensed under this title in quantities
 21 of not less than 10 [WINE] gallons for each sale.

22 * Sec. 7. AS 06.05.095 is amended to read:

23 Sec. 06.05.095. PAYMENT OF ITEMS. If the balance in an [ANY]
 24 account subject to withdrawal by or upon the order of a depositor is
 25 insufficient to pay an [EQUALS OR EXCEEDS THE AMOUNT OF ANY] item
 26 presented for payment, a bank may select from the items that [WHICH]
 27 in the aggregate exceed the balance the items to be paid in the [ANY]
 28 order convenient to the bank.

29 * Sec. 8. AS 06.05.180, as amended by sec. 1, ch. 7, SLA 1988, is

1 amended to read:

2 Sec. 06.05.180. POWERS AS TRUSTEE AUTHORIZED. Every bank organ-
3 ized under this chapter, subject to the restrictions and limitations
4 of laws and the regulations of the department, may

5 (1) act as trustee under any mortgage or bond issued by the
6 state, or any municipality, body politic, or corporation, foreign or
7 domestic, and accept and execute any municipal or corporate trust not
8 prohibited by the laws of this state;

9 (2) accept a trust from, and execute a trust for a married
10 person [WOMAN] in respect to the married person's [WOMAN'S] separate
11 property, and act as agent in the management of the property or
12 transact any business in relation to the property;

13 (3) act under the order or appointment of a court of compe-
14 tent jurisdiction including any probate court as custodian [GUARDIAN],
15 receiver, or trustee of the estate of a minor, and as depository of
16 money paid into court for the benefit of any person, corporation, or
17 party, and in any other fiduciary capacity;

18 (4) act under the order or appointment of a court of compe-
19 tent jurisdiction including any probate court as trustee, custodian
20 [GUARDIAN], receiver or committee of the estate of an incapacitated
21 person, as defined in AS 13.26.005, or of a [LUNATIC, IDIOT,]
22 spendthrift, [PERSON OF UNSOUND MIND OR HABITUAL DRUNKARD,] or as
23 receiver or committee of the property or estate of a [ANY] person in
24 insolvency or bankruptcy proceedings;

25 (5) act as executor or administrator with or without the
26 will annexed of the estate of a deceased person;

27 (6) accept and execute any legal trust, duty and power in
28 regard to the holding, management and disposition of any estate, real
29 or personal, wherever located, and the rents and profits from it, or

1 the sale of it, as may be granted or confided to it by a court of
2 competent jurisdiction including any probate court or by any person,
3 corporation, municipality or other authority, and is accountable to
4 all parties in interest for the faithful discharge of every trust,
5 duty, or power which it may accept;

6 (7) accept and execute any trust or power conferred upon it
7 by any person or any body politic or domestic or foreign corporation,
8 or any other authority, grant, assignment, transfer, devise, bequest
9 or otherwise, or which may be entrusted or committed or transferred to
10 it by order of a court of competent jurisdiction including any probate
11 court;

12 (8) receive, manage, hold and dispose of according to the
13 terms of any trust or power any property or estate, real or personal,
14 which may be the subject of any such trust or power;

15 (9) act as the fiscal or transfer agent of the United
16 States or of any state, territory, municipality, or other body poli-
17 tic, and in this capacity may receive and disburse money [MONEYS],
18 transfer, register and countersign certificates of stocks, bonds, or
19 other evidences of indebtedness;

20 (10) whenever the instrument or power governing the fidu-
21 ciary relationship directs, requires, authorizes, or permits invest-
22 ment in obligations of the United States government, invest in those
23 [THE] obligations [, FOR SHORT-TERM CASH MANAGEMENT PURPOSES,] either
24 directly or, for short-term cash management purposes, in the form of
25 securities of, or other interests in, a money market mutual fund
26 operating as an open-end management type investment company or in-
27 vestment trust registered under 15 U.S.C. 80a-1 - 80a-64 (Investment
28 Company Act of 1940), if

29 (A) the portfolio of the investment company or

1 investment trust is limited to obligations of the United States
2 government and repurchase agreements fully collateralized by the
3 obligations; and

4 (B) the investment company or investment trust takes
5 delivery of the collateral directly or through an authorized
6 custodian.

7 * Sec. 9. AS 06.05.465(f) is amended to read:

8 (f) The contents of safe deposit boxes which have not been
9 removed within 30 days after demand shall be opened and the contents
10 dealt with in the manner provided for boxes upon which the payment of
11 rental is in default, and the sealed packages containing the contents
12 and the certificates together with any other unclaimed property held
13 by the bank as bailee and certified inventories of that property shall
14 be transferred to the department which shall retain it for five years
15 unless claimed by the person entitled to it before that time. After
16 five years the department shall [SELL OR OTHERWISE APPROPRIATELY]
17 dispose of the property under AS 34.45.110 - 34.45.780. [THE PROCEEDS
18 OF ANY SALE SHALL BE TRANSFERRED TO THE STATE TREASURY AND SHALL BE
19 DEPOSITED IN THE GENERAL FUND.]

20 * Sec. 10. AS 06.05.465(i) is amended to read:

21 (i) Any unclaimed distribution to a stockholder or a depositor
22 shall be held until 90 days after the final distribution and then
23 transmitted to the department. Unclaimed funds of a stockholder or a
24 depositor shall be held by the department for five years and, unless
25 claimed by the person entitled to them before that date, shall be
26 disposed of under AS 34.45.110 - 34.45.780 [TRANSFERRED TO THE STATE
27 TREASURY AND DEPOSITED IN THE GENERAL FUND].

28 * Sec. 11. AS 06.25.140 is amended to read:

29 Sec. 06.25.140. ESTATES OF INCAPACITATED PERSONS [INCOMPETENTS].

1 A trust company may act under the order or appointment of a court of
2 competent jurisdiction including any probate court as trustee,
3 custodian [GUARDIAN], receiver or committee of the estate of an
4 incapacitated person, as defined in AS 13.26.005, or of a [LUNATIC,
5 IDIOT,] spendthrift, [PERSON OF UNSOUND MIND OR HABITUAL DRUNKARD,] or
6 as receiver or committee of the property or estate of a [ANY] person
7 in insolvency or bankruptcy proceedings, and act as executor or
8 administrator with or without the will annexed of the estate of a
9 [ANY] deceased person.

10 * Sec. 12. AS 08.01.010 is amended by adding a new paragraph to read:

11 (28) regulation of electrical administrators under AS 08.40.

12 * Sec. 13. AS 08.01.035 is amended to read:

13 Sec. 08.01.035. APPOINTMENTS AND TERMS. Members of boards
14 subject to this chapter [AND MEMBERS OF THE REAL ESTATE COMMISSION
15 UNDER AS 08.88] are appointed for staggered terms of four years. A
16 member of a board serves until a successor is appointed. An appoint-
17 ment to fill a vacancy on a board is for the remainder of the un-
18 expired term. A member who has served all or part of two successive
19 terms on a board may not be reappointed to that board unless four
20 years have elapsed since the person has last served on the board.

21 * Sec. 14. AS 08.01.065(c) is amended to read:

22 (c) A fee established under this section should reflect, but
23 should not exceed, the actual costs to the department of the activity
24 for which the fee is charged except that the department may establish
25 a fee that is less than the cost of the activity for which the fee is
26 charged if the department determines that it is not reasonable to
27 impose the full cost of the activity on the applicant or licensee.
28 [THE ACTUAL OR ANTICIPATED COSTS TO THE DEPARTMENT OF SERVICES PROVID-
29 ED TO OR ON BEHALF OF A BOARD MUST REFLECT, TO THE EXTENT POSSIBLE,

1 THE AMOUNT OF FEES THE DEPARTMENT COLLECTS FROM PERSONS IN OCCUPATIONS
2 REGULATED BY THE BOARD.]

3 * Sec. 15. AS 08.40.190(c) is amended to read:

4 (c) Work within the exclusionary provisions of this section is
5 nevertheless subject to the inspection provisions of AS 08.40.070 and
6 must follow the regulations regarding workmanship adopted by the
7 department [BOARD].

8 * Sec. 16. AS 09.45.730 is amended to read:

9 Sec. 09.45.730. TRESPASS BY CUTTING OR INJURING TREES OR SHRUBS.
10 A person who without lawful authority cuts down, girdles, or otherwise
11 injures or removes [CARRIES OFF] a tree, timber, or a shrub on (1)
12 the land of another person or on the street or highway in front of a
13 person's house, or (2) [OF] a village [, TOWN,] or municipal [CITY]
14 lot, or cultivated grounds, or [ON] the commons or public land
15 [GROUNDS] of a village [, TOWN,] or municipality [CITY], or (3) [ON]
16 the street or highway in front of land described in (2) of this sec-
17 tion [THEM, WITHOUT LAWFUL AUTHORITY], is liable to the owner of that
18 land, or to the village [, TOWN,] or municipality [CITY] for treble
19 the amount of damages which may be assessed in a civil action. Howev-
20 er, if the trespass was unintentional [CASUAL] or involuntary, or the
21 defendant had probable cause to believe that the land on which the
22 trespass was committed was the defendant's own or that of the person
23 in whose service or by whose direction the act was done, or where the
24 timber was taken from unenclosed woodland for the purpose of repairing
25 a public highway or bridge on or adjoining [UPON] the land [OR ADJOIN-
26 ING IT], only actual damages may be recovered.

27 * Sec. 17. AS 09.63.040(c) is amended to read:

28 (c) A verification made under this section may be in substan-
29 tially the following form:

1 I _____ say [SAYS] on oath or affirm [AFFIRMS] that I have
 2 [HE (OR SHE) HAS] read the foregoing (or attached) document and be-
 3 lieve [BELIEVES] all statements made in the document are true.

4
 5 _____
 6 Signature

7
 8 Subscribed and sworn to or affirmed before me at _____ on

9 _____
 10 (date)

11 _____
 12 Signature of Officer

13 _____
 14 Title of Officer

15 * Sec. 18. AS 12.55.035(b) is amended to read:

16 (b) Upon conviction of an offense, a defendant who is not an
 17 organization may be sentenced to pay, unless otherwise specified in
 18 the provision of law defining the offense, a fine of no more than

19 (1) \$75,000 for murder in the first or second degree,
 20 sexual assault in the first degree, sexual abuse of a minor in the
 21 first degree, kidnapping, or misconduct involving a controlled sub-
 22 stance in the first degree;

23 (2) \$50,000 for a class A, B, or C felony;

24 (3) \$5,000 for a class A misdemeanor;

25 (4) \$1,000 for a class B misdemeanor;

26 (5) \$300 for a violation.

27 * Sec. 19. AS 14.03.070 is amended to read:

28 Sec. 14.03.070. SCHOOL AGE. A child who is six years of age [OR
 29 WHO WILL BECOME SIX YEARS OF AGE] before August 15 following

1 [PRECEDING] the beginning of the school year, and who is under the age
2 of 20 and has not completed the 12th grade, is of school age.

3 * Sec. 20. AS 14.03.080(d) is amended to read:

4 (d) A child who is five years of age before August 15 following
5 [PRECEDING] the beginning of the school year, and who is under school
6 age, may enter a public school kindergarten.

7 * Sec. 21. AS 14.11.115(c)(1) is amended to read:

8 (1) "debt" means the principal amount of the direct and
9 general obligation indebtedness of the municipality for which all
10 taxable property is subject to taxation to pay the bond, note or other
11 evidence of the debt, determined annually by the Department of Commu-
12 nity and Regional Affairs in consultation with each municipality that
13 is a school district and reported to the municipality and the commis-
14 sioner of education; the determination shall be made by October 1 and
15 report the outstanding debt as of July 1 of that year [IN ACCORDANCE
16 WITH AS 14.17.140(c)];

17 * Sec. 22. AS 14.25.110(g) is amended to read:

18 (g) A member who is eligible for a service retirement salary
19 under this chapter or under the Retirement Act of 1945 is entitled to
20 a benefit of at least \$25 per month for each year of credited service,
21 excluding adjustments made under AS 14.25.142 or 14.25.143. If the
22 member elected option two under former AS 14.25.063(b)(2) for payment
23 of any indebtedness when the member initially applied for a retirement
24 benefit, or if the member elected to receive an early retirement
25 benefit under (b) of this section, the resulting benefit reduction
26 continues in effect.

27 * Sec. 23. AS 14.30.030 is amended to read:

28 Sec. 14.30.030. REPORT OF VIOLATIONS AND PROCEDURES. The chief
29 administrative officer of a district school or regional educational

1 attendance area shall report all apparent violations of AS 14.30.010
2 to the governing body of the district. The governing body shall, on
3 receiving the report or on the complaint of any person, provide for a
4 full and impartial investigation of all charges of violation. In
5 private or federal schools, the chief administrative officer shall
6 make a full and impartial investigation of all apparent violations.
7 If it reasonably appears upon investigation that a person has violated
8 AS 14.30.010, the governing body of a district school or regional
9 educational attendance area, or the chief administrative officer of a
10 private or federal school, shall make and file with the district court
11 a complaint against the person, charging the violation. [THE JUDGE OR
12 MAGISTRATE MAY ISSUE A WARRANT FOR THE ARREST OF THE PERSON AND MAY
13 ACT UPON THE COMPLAINT.]

14 * Sec. 24. AS 15.13.020(d) is repealed and reenacted to read:

15 (d) Members of the commission serve staggered terms of five
16 years, or until a successor is appointed and qualifies. The terms of
17 no two members who are members of the same political party may expire
18 in consecutive years. A member may not serve more than one term.
19 However, a person appointed to fill the unexpired term of a predeces-
20 sor may be appointed to a successive full five-year term.

21 * Sec. 25. AS 15.25.040(a) is amended to read:

22 (a) The declaration is filed by either

23 (1) the actual physical delivery of the declaration in
24 person or by mail at or before 5:00 p.m., prevailing time, June 1 of
25 the year in which a general election is held for the office, or

26 (2) the actual physical delivery by telegram of a copy in
27 substance of the statements made in paragraphs (1) - (5) of the decla-
28 ration as required by AS 15.25.030 at or before 5:00 p.m., prevailing
29 time, June 1 of the year in which a general election is held for the

office and also the actual physical delivery of the declaration containing paragraphs (1) - (16) [(1) - (15)] as required by AS 15.25.030 by registered mail which is received not more than 15 days after that time.

* Sec. 26. AS 23.20.350(e) is amended to read:

(e) An individual who is eligible under (d) of this section is entitled to receive a weekly benefit under this chapter for the number of weeks set out in column (B) of the table in this subsection opposite the applicable earnings ratio of the individual set out in column (A):

(A)	(B)
Earnings Ratio	Number of Weeks
less than <u>1.50</u> [1.49]	16
1.50 - 1.99	18
2.00 - 2.49	20
2.50 - 2.99	22
3.00 - 3.49	24
3.50 or more	26

* Sec. 27. AS 24.60.030(c) is amended to read:

(c) Conflicts of interest are prohibited but there is not a conflict of interest if, as to a specific matter, there is no substantial impropriety or appearance of impropriety because

(1) the person's interest is relatively insignificant; or

(2) the person's authority is relatively far removed from any official action that could reasonably be affected by the potential conflict of interest, provided that no attempt has been made to remove the appearance of impropriety by delegating responsibility for official action.

* Sec. 28. AS 28.10.441(8) is amended to read:

1 (8) special permit for vehicle used for transport of dis-
 2 abled or handicapped person issued under AS 28.10.495 [AS PROVIDED IN
 3 AS 28.10.215] none.

4 * Sec. 29. AS 37.14.160 is amended to read:

5 Sec. 37.14.160. DUTIES OF COMMISSIONER OF REVENUE. The commis-
 6 sioner of revenue is the treasurer of the fund [FUNDS] created in
 7 AS 37.14.110 [AS 37.14.010 AND 37.14.110] and shall

8 (1) act as official custodian of the cash and securities
 9 belonging to the fund [THOSE FUNDS] and provide adequate safe deposit
 10 facilities for it [EACH OF THEM];

11 (2) receive cash belonging to the fund [THOSE FUNDS];

12 (3) collect the principal on securities acquired for the
 13 [EACH] fund [ESTABLISHED UNDER AS 37.14.010 AND 37.14.110] and credit
 14 the [EACH] fund accordingly;

15 (4) collect interest and dividends earned on investments of
 16 the fund [FUNDS ESTABLISHED UNDER AS 37.14.010 AND 37.14.110] and
 17 credit the income reserve account of the [EACH] fund accordingly;

18 (5) invest and reinvest the principal of the [EACH] fund in
 19 accordance with AS 37.14.170.

20 * Sec. 30. AS 37.14.170 is amended to read:

21 Sec. 37.14.170. INVESTMENTS. (a) The commissioner of revenue,
 22 with the approval of the [EACH] advisory board created in AS 37.14.120
 23 [AS 37.14.020 AND 37.14.120], may invest the principal of the fund
 24 [FUNDS] created in AS 37.14.110 [AS 37.14.010 AND 37.14.110] in the
 25 same manner as specified for the investment of surplus pension funds
 26 under AS 39.35.110.

27 (b) The commissioner of revenue may

28 (1) invest and reinvest the principal of the fund [FUNDS];

29 (2) sell, exchange, convey, transfer, or otherwise dispose

1 of investments of the fund [FUNDS] by private contract or at public
2 auction;

3 (3) vote upon a stock, bond, or other security; give a
4 general or special proxy or power of attorney with or without power of
5 substitution; exercise a conversion privilege, subscription right, or
6 other option and make payments incidental to it; consent to or partic-
7 ipate in a corporate reorganization or other change affecting corpo-
8 rate securities, delegate discretionary power, pay an assessment or
9 charge in connection with the delegation; and generally exercise any
10 of the powers of an owner with respect to stocks, bonds, securities,
11 or other investments held in the fund [FUNDS];

12 (4) make, execute, acknowledge, and deliver documents of
13 transfer and conveyance and instruments necessary or appropriate to
14 carry out the powers granted;

15 (5) register investments held in the [A] fund in the name
16 of the public school fund advisory board [HAVING THE POWER TO APPROVE
17 INVESTMENTS FOR A FUND];

18 (6) do all acts whether or not expressly authorized that
19 [WHICH] are considered proper for the protection of the investments
20 held in the fund [FUNDS].

21 * Sec. 31. AS 39.20.180 is amended to read:

22 Sec. 39.20.180. TRANSPORTATION AND PER DIEM EXPENSES FOR MEMBERS
23 OF BOARDS, COMMISSIONS, ETC. Except as otherwise provided by law,
24 [FROM AND AFTER MARCH 27, 1962,] the provisions in this section re-
25 lating to per diem and transportation govern exclusively [AND SUPER-
26 SEDE ALL OTHER PROVISIONS OF LAW] with respect to a member of a state
27 board, commission, committee, judicial council, or other similar body
28 of persons of the state organized or established under the authority
29 of law, but excluding any other state employee other than a

1 legislator, who is otherwise entitled by law to receive from the state
2 payments for expenses of transportation, and for reimbursement or for
3 per diem in lieu of reimbursement for other expenses incident to
4 duties as such member:

5 (1) for [FOR] transportation, the member is entitled either
6 to the use of state transportation requests, or to be reimbursed for
7 expenses of transportation to the same extent, in the same manner, and
8 under the same conditions as provided for state officials and employ-
9 ees by the provisions of AS 39.20.110 - 39.20.170; [.]

10 (2) for [FOR] reimbursement for other expenses, the member
11 is entitled to a per diem allowance prescribed by the commissioner of
12 administration under the regulatory authority set out in AS 39.20.160
13 for each day or portion of a day spent in actual meeting or on au-
14 thorized official business incident to duties as a member.

15 * Sec. 32. AS 41.17.043 is amended to read:

16 Sec. 41.17.043. TERMS OF OFFICE. The term of office of a member
17 of the board is three years [; THE GOVERNOR SHALL MAKE THE INITIAL
18 APPOINTMENTS TO THE BOARD IN SUCH A WAY THAT FOUR NOMINATIONS EXPIRE
19 DURING 1980, FOUR APPOINTMENTS EXPIRE DURING 1981, AND THREE APPOINT-
20 MENTS EXPIRE DURING 1982]. The state forester serves an indefinite
21 term, ex officio.

22 * Sec. 33. AS 41.17.400(b) is amended to read:

23 (b) The commissioner shall prepare a management plan for the
24 Tanana Valley State Forest under AS 41.17.230. [THE COMMISSIONER
25 SHALL SUBMIT THE MANAGEMENT PLAN TO THE LEGISLATURE FOR ITS APPROVAL
26 WITHIN THE FIRST 10 DAYS OF THE SECOND SESSION OF THE FOURTEENTH STATE
27 LEGISLATURE. THE MANAGEMENT PLAN FOR THE TANANA VALLEY STATE FOREST
28 IS APPROVED UNLESS THE LEGISLATURE ADOPTS LEGISLATION DISAPPROVING THE
29 MANAGEMENT PLAN.]

1 * Sec. 34. AS 41.17.400(c) is amended to read:

2 (c) In addition to [THE COMMISSIONER SHALL CONSIDER AND PERMIT]
3 the uses described in AS 41.17.230(e), the [WITHIN THE TANANA VALLEY
4 STATE FOREST, SUBJECT TO THE PROCEDURES ESTABLISHED IN AS 41.17.-
5 230(f). THE] commissioner may establish transportation corridors
6 within the Tanana Valley State Forest.

7 * Sec. 35. AS 41.21.506(a) is amended to read:

8 (a) The [WITHIN TWO YEARS FROM JUNE 2, 1984 THE] commissioner
9 shall develop and adopt a comprehensive management plan for the Kenai
10 River Special Management Area in consultation with the Kenai Peninsula
11 Borough. The plan may include the land adjacent to the rivers de-
12 scribed in AS 41.21.502(a)(1) - (3) whether the land is owned by the
13 state or privately owned and may include other land considered appro-
14 priate by the commissioner and the Kenai Peninsula Borough. The
15 commissioner shall periodically review the plan and adopt changes to
16 the plan in consultation with the Kenai Peninsula Borough.

17 * Sec. 36. AS 41.35.140 is amended to read:

18 Sec. 41.35.140. TERM OF MEMBERSHIP. The term of office for a
19 member of the committee is three years, except for those who are
20 members by virtue of their positions with the state, who [. THEY]
21 serve for as long as they remain in the position by virtue of which
22 they are members of the committee. A member appointed to fill a
23 vacancy serves for the unexpired term of the member succeeded. [OF
24 THOSE MEMBERS LISTED UNDER AS 41.35.120(3) AND (4), UPON INITIAL
25 APPOINTMENT, ONE SHALL SERVE FOR ONE YEAR, TWO FOR TWO YEARS, AND TWO
26 FOR THREE YEARS.]

27 * Sec. 37. AS 41.99 is amended by adding a new section to read:

28 Sec. 41.99.900. DEFINITIONS. In this title, unless the context
29 requires otherwise,

1 (1) "commissioner" means the commissioner of natural re-
2 sources;

3 (2) "department" means the Department of Natural Resources.

4 * Sec. 38. AS 44.21.160(f) is amended to read:

5 (f) The department [DIVISION OF DATA PROCESSING] shall provide
6 [COORDINATE WITH THE DIVISION OF TELECOMMUNICATIONS IN PROVIDING] for
7 the effective transfer of information by telecommunications through
8 the establishment of compatible systems and common standards.

9 * Sec. 39. AS 44.27.052 is amended to read:

10 Sec. 44.27.052. POWERS OF COUNCIL. The council may (1) [IS
11 AUTHORIZED AND EMPOWERED TO] hold public and private hearings; (2) [,
12 TO] enter into contracts, within the limit of funds available, with
13 individuals, organizations, and institutions for services furthering
14 the educational objectives of the council's programs; (3) [TO] enter
15 into contracts, within the limit of funds available, with local and
16 regional associations for cooperative endeavors furthering the educa-
17 tional objectives of the council's programs; (4) [TO] accept gifts,
18 contributions, and bequests of unrestricted funds from individuals,
19 foundations, corporations, and other organizations or institutions for
20 the purpose of furthering the educational objectives of the council's
21 programs; and (5) [TO] make and sign agreements and to do and perform
22 any acts necessary to carry out the purposes of AS 44.27.040 - 44.27.-
23 060 [AS 44.27.040 - 44.27.058]. The council may request and is
24 entitled to receive from any department, division, board, bureau,
25 commission, or agency of the state the assistance and data that
26 [WHICH] will enable it properly to carry out its powers and duties.
27 The council is authorized to receive state funds made available for
28 its purposes.

29 * Sec. 40. AS 44.81.270(a) is amended to read:

1 (a) At the direction of the Legislative Budget and Audit Commit-
2 tee under AS 24.20.271, the [THE] legislative auditor may conduct an
3 audit of [CAUSE] the bank [TO BE AUDITED IN THE MANNER AND UNDER THE
4 CONDITIONS PRESCRIBED BY AS 24.20.271 FOR AUDITS PERFORMED BY THE
5 LEGISLATIVE AUDIT DIVISION]. The legislative audit division has free
6 access to all books and papers of the bank that relate to its business
7 and books and papers kept by a director, officer, or employee relating
8 to or upon which a record of its business is kept, and may summon
9 witnesses and administer oaths or affirmations in the examination of
10 the directors, officers, or employees of the bank or any other person
11 in relation to its affairs, transactions, and conditions, and may
12 require and compel the production of records, books, papers, con-
13 tracts, or other documents by court order if not voluntarily produced.

14 * Sec. 41. AS 44.81.270(b) is amended to read:

15 (b) The bank shall be audited annually by independent outside
16 auditors. The legislative auditor may confer with the outside audi-
17 tors and review the workpapers of the audit. [AT THE DIRECTION OF THE
18 LEGISLATIVE BUDGET AND AUDIT COMMITTEE UNDER AS 24.20.271, THE LEGIS-
19 LATIVE AUDITOR MAY CONDUCT AN AUDIT OF THE BANK.]

20 * Sec. 42. AS 44.85.270(i) is amended to read:

21 (i) All references to the "reserve fund" in this section include
22 special accounts within the reserve fund which may be created by the
23 authority to secure the payment of particular bonds [, INCLUDING,
24 WITHOUT LIMITATION, BONDS ISSUED BY THE CAPITAL CITY ESTABLISHED UNDER
25 AS 29.14.010]. The commissioner of revenue may lend surplus money in
26 the general fund to the authority for deposit to any account in the
27 reserve fund in an amount equal to the required debt service reserve.
28 The loans shall be made on such terms and conditions as may be agreed
29 upon by the commissioner of revenue and the authority, including,

1 without limitation, terms and conditions providing that the loans need
 2 not be repaid until the obligations of the corporation secured and to
 3 be secured by the account in the reserve fund are no longer outstand-
 4 ing.

5 * Sec. 43. AS 08.40.080; AS 15.05.016; AS 15.15.213; AS 19.10.220;
 6 AS 19.25.110, 19.25.120; AS 41.06.060(1); AS 41.15.170(1); AS 41.17.950(3),
 7 41.17.950(4); AS 41.21.990(1), 41.21.990(2); AS 41.30; AS 41.35.230(1),
 8 41.35.230(3); AS 44.33.020(11); and AS 44.81.010(c) are repealed.

9 * Sec. 44. Sections 19 and 20 of this Act take effect July 1, 1988.

10 * Sec. 45. Except for secs. 19 and 20, this Act takes effect immediate-
 11 ly under AS 01.10.070(c).

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5-1406N
Dierdorff
4/27/88

Original sponsor: Rules/Legislative Council

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 413 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH 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 04.11.120(b) is amended to read:

11 (b) A sale under a bottling works license may be made only to a
12 person licensed under this title and only in quantities of more than
13 five [WINE] gallons.

14 * Sec. 2. AS 04.11.130(b) is amended to read:

15 (b) A brewery license authorizes the holder to sell beer in
16 quantities of more than five [WINE] gallons to persons licensed to
17 sell beer under this title.

18 * Sec. 3. AS 04.11.140(b) is amended to read:

19 (b) A winery license authorizes the holder to sell wine to
20 persons licensed under this title in quantities of more than five
21 [WINE] gallons.

22 * Sec. 4. AS 04.11.160(b) is amended to read:

23 (b) A wholesale malt beverage and wine license authorizes the
24 holder to sell malt beverages and wine in the original packages in
25 quantities of not less than five [WINE] gallons. The holder of a
26 wholesale malt beverage and wine license may not sell to a person not
27 licensed under this title except as provided in AS 04.21.040. The
28 annual wholesale malt beverage and wine license fee is \$200 for the
29 first \$20,000 of business transacted during a year, payable at the

1 time of making an original application or application for renewal. In
2 addition, the following annual fees shall be paid by a holder of a
3 wholesale malt beverage and wine license:

Business Transacted During Year	Fee
over \$20,000 and not over \$50,000	\$ 300
over \$50,000 and not over \$100,000 . . .	\$ 1,000
over \$100,000 and not over \$150,000 . . .	\$ 1,500
over \$150,000 and not over \$200,000 . . .	\$ 2,000
over \$200,000 and not over \$400,000 . . .	\$ 4,000
over \$400,000 and not over \$600,000 . . .	\$ 6,000
over \$600,000 and not over \$800,000 . . .	\$ 8,000
over \$800,000	\$10,000

13 * Sec. 5. AS 04.11.200(b) is amended to read:

14 (b) A sale by a holder of a retail stock sale license may only
15 be in quantities of five [WINE] gallons or more per sale and may only
16 be to persons licensed under this chapter.

17 * Sec. 6. AS 04.16.130(b) is amended to read:

18 (b) This section does not apply to stocks of beer carried on a
19 delivery truck by a licensed wholesaler if carried for the purpose of
20 sale and delivery to persons licensed under this title in quantities
21 of not less than 10 [WINE] gallons for each sale.

22 * Sec. 7. AS 06.05.095 is amended to read:

23 Sec. 06.05.095. PAYMENT OF ITEMS. If the balance in an [ANY]
24 account subject to withdrawal by or upon the order of a depositor is
25 insufficient to pay an [EQUALS OR EXCEEDS THE AMOUNT OF ANY] item
26 presented for payment, a bank may select from the items that [WHICH]
27 in the aggregate exceed the balance the items to be paid in the [ANY]
28 order convenient to the bank.

29 * Sec. 8. AS 06.05.180, as amended by sec. 1, ch. 7, SLA 1988, is

1 amended to read:

2 Sec. 06.05.180. POWERS AS TRUSTEE AUTHORIZED. Every bank organ-
3 ized under this chapter, subject to the restrictions and limitations
4 of laws and the regulations of the department, may

5 (1) act as trustee under any mortgage or bond issued by the
6 state, or any municipality, body politic, or corporation, foreign or
7 domestic, and accept and execute any municipal or corporate trust not
8 prohibited by the laws of this state;

9 (2) accept a trust from, and execute a trust for a married
10 woman in respect to the married woman's separate property, and act as
11 agent in the management of the property or transact any business in
12 relation to the property;

13 (3) act under the order or appointment of a court of compe-
14 tent jurisdiction including any probate court as guardian, receiver,
15 or trustee of the estate of a minor, and as depository of money paid
16 into court for the benefit of any person, corporation, or party, and
17 in any other fiduciary capacity;

18 (4) act under the order or appointment of a court of compe-
19 tent jurisdiction including any probate court as trustee, guardian,
20 receiver or committee of the estate of an incapacitated person, as
21 defined in AS 13.26.005, or of a [LUNATIC, IDIOT,] spendthrift, [PER-
22 SON OF UNSOUND MIND OR HABITUAL DRUNKARD,] or as receiver or committee
23 of the property or estate of a [ANY] person in insolvency or bankrupt-
24 cy proceedings;

25 (5) act as executor or administrator with or without the
26 will annexed of the estate of a deceased person;

27 (6) accept and execute any legal trust, duty and power in
28 regard to the holding, management and disposition of any estate, real
29 or personal, wherever located, and the rents and profits from it, or

1 the sale of it, as may be granted or confided to it by a court of
2 competent jurisdiction including any probate court or by any person,
3 corporation, municipality or other authority, and is accountable to
4 all parties in interest for the faithful discharge of every trust,
5 duty, or power which it may accept;

6 (7) accept and execute any trust or power conferred upon it
7 by any person or any body politic or domestic or foreign corporation,
8 or any other authority, grant, assignment, transfer, devise, bequest
9 or otherwise, or which may be entrusted or committed or transferred to
10 it by order of a court of competent jurisdiction including any probate
11 court;

12 (8) receive, manage, hold and dispose of according to the
13 terms of any trust or power any property or estate, real or personal,
14 which may be the subject of any such trust or power;

15 (9) act as the fiscal or transfer agent of the United
16 States or of any state, territory, municipality, or other body poli-
17 tic, and in this capacity may receive and disburse moneys, transfer,
18 register and countersign certificates of stocks, bonds, or other
19 evidences of indebtedness;

20 (10) whenever the instrument or power governing the fidu-
21 ciary relationship directs, requires, authorizes, or permits invest-
22 ment in obligations of the United States government, invest in the
23 obligations, [FOR SHORT-TERM CASH MANAGEMENT PURPOSES,] either direct-
24 ly or, for short-term cash management purposes, in the form of securi-
25 ties of, or other interests in, a money market mutual fund operating
26 as an open-end management type investment company or investment trust
27 registered under 15 U.S.C. 80a-1 - 80a-64 (Investment Company Act of
28 1940), if

29 (A) the portfolio of the investment company or

1 investment trust is limited to obligations of the United States
2 government and repurchase agreements fully collateralized by the
3 obligations; and

4 (B) the investment company or investment trust takes
5 delivery of the collateral directly or through an authorized
6 custodian.

7 * Sec. 9. AS 06.05.465(f) is amended to read:

8 (f) The contents of safe deposit boxes which have not been
9 removed within 30 days after demand shall be opened and the contents
10 dealt with in the manner provided for boxes upon which the payment of
11 rental is in default, and the sealed packages containing the contents
12 and the certificates together with any other unclaimed property held
13 by the bank as bailee and certified inventories of that property shall
14 be transferred to the department which shall retain it for five years
15 unless claimed by the person entitled to it before that time. After
16 five years the department shall [SELL OR OTHERWISE APPROPRIATELY]
17 dispose of the property under AS 34.45.110 - 34.45.780. [THE PROCEEDS
18 OF ANY SALE SHALL BE TRANSFERRED TO THE STATE TREASURY AND SHALL BE
19 DEPOSITED IN THE GENERAL FUND.]

20 * Sec. 10. AS 06.05.465(i) is amended to read:

21 (i) Any unclaimed distribution to a stockholder or a depositor
22 shall be held until 90 days after the final distribution and then
23 transmitted to the department. Unclaimed funds of a stockholder or a
24 depositor shall be held by the department for five years and, unless
25 claimed by the person entitled to them before that date, shall be
26 disposed of under AS 34.45.110 - 34.45.780 [TRANSFERRED TO THE STATE
27 TREASURY AND DEPOSITED IN THE GENERAL FUND].

28 * Sec. 11. AS 06.25.140 is amended to read:

29 Sec. 06.25.140. ESTATES OF INCAPACITATED PERSONS [INCOMPETENTS].

1 A trust company may act under the order or appointment of a court of
2 competent jurisdiction including any probate court as trustee, guard-
3 ian, receiver or committee of the estate of an incapacitated person,
4 as defined in AS 13.26.005, or of a [LUNATIC, IDIOT,] spendthrift,
5 [PERSON OF UNSOUND MIND OR HABITUAL DRUNKARD,] or as receiver or
6 committee of the property or estate of a [ANY] person in insolvency or
7 bankruptcy proceedings, and act as executor or administrator with or
8 without the will annexed of the estate of a [ANY] deceased person.

9 * Sec. 12. AS 08.01.010 is amended by adding a new paragraph to read:

10 (28) regulation of electrical administrators under AS 08.40.

11 * Sec. 13. AS 08.01.035 is amended to read:

12 Sec. 08.01.035. APPOINTMENTS AND TERMS. Members of boards
13 subject to this chapter [AND MEMBERS OF THE REAL ESTATE COMMISSION
14 UNDER AS 08.88] are appointed for staggered terms of four years. A
15 member of a board serves until a successor is appointed. An appoint-
16 ment to fill a vacancy on a board is for the remainder of the un-
17 expired term. A member who has served all or part of two successive
18 terms on a board may not be reappointed to that board unless four
19 years have elapsed since the person has last served on the board.

20 * Sec. 14. AS 08.01.065(c) is amended to read:

21 (c) A fee established under this section should reflect, but
22 should not exceed, the actual costs to the department of the activity
23 for which the fee is charged except that the department may establish
24 a fee that is less than the cost of the activity for which the fee is
25 charged if the department determines that it is not reasonable to
26 impose the full cost of the activity on the applicant or licensee.
27 [THE ACTUAL OR ANTICIPATED COSTS TO THE DEPARTMENT OF SERVICES PROVID-
28 ED TO OR ON BEHALF OF A BOARD MUST REFLECT, TO THE EXTENT POSSIBLE,
29 THE AMOUNT OF FEES THE DEPARTMENT COLLECTS FROM PERSONS IN OCCUPATIONS

1 REGULATED BY THE BOARD.]

2 * Sec. 15. AS 08.40.190(c) is amended to read:

3 (c) Work within the exclusionary provisions of this section is
4 nevertheless subject to the inspection provisions of AS 08.40.070 and
5 must follow the regulations regarding workmanship adopted by the
6 department [BOARD].

7 * Sec. 16. AS 09.45.730 is amended to read:

8 Sec. 09.45.730. TRESPASS BY CUTTING OR INJURING TREES OR SHRUBS.
9 A person who without lawful authority cuts down, girdles, or otherwise
10 injures or removes [CARRIES OFF] a tree, timber, or a shrub on (1)
11 the land of another person or on the street or highway in front of a
12 person's house, or (2) [OF] a village [, TOWN,] or municipal [CITY]
13 lot, or cultivated grounds, or [ON] the commons or public land
14 [GROUNDS] of a village [, TOWN,] or municipality [CITY], or (3) [ON]
15 the street or highway in front of land described in (2) of this sec-
16 tion [THEM, WITHOUT LAWFUL AUTHORITY], is liable to the owner of that
17 land, or to the village [, TOWN,] or municipality [CITY] for treble
18 the amount of damages which may be assessed in a civil action. Howev-
19 er, if the trespass was unintentional [CASUAL] or involuntary, or the
20 defendant had probable cause to believe that the land on which the
21 trespass was committed was the defendant's own or that of the person
22 in whose service or by whose direction the act was done, or where the
23 timber was taken from unenclosed woodland for the purpose of repairing
24 a public highway or bridge on or adjoining [UPON] the land [OR ADJOIN-
25 ING IT], only actual damages may be recovered.

26 * Sec. 17. AS 09.63.040(c) is amended to read:

27 (c) A verification made under this section may be in substan-
28 tially the following form:

29 I _____ say [SAYS] on oath or affirm [AFFIRMS] that I have

1 [HE (OR SHE) HAS] read the foregoing (or attached) document and be-
2 lieve [BELIEVES] all statements made in the document are true.

3
4 _____
5 Signature

6
7 Subscribed and sworn to or affirmed before me at _____ on

8 _____
9 (date)

10 _____
11 Signature of Officer

12 _____
13 Title of Officer

14 * Sec. 18. AS 12.55.035(b) is amended to read:

15 (b) Upon conviction of an offense, a defendant who is not an
16 organization may be sentenced to pay, unless otherwise specified in
17 the provision of law defining the offense, a fine of no more than

18 (1) \$75,000 for murder in the first or second degree,
19 sexual assault in the first degree, sexual abuse of a minor in the
20 first degree, kidnapping, or misconduct involving a controlled sub-
21 stance in the first degree;

(2) \$50,000 for a class A, B, or C felony;

23 (3) \$5,000 for a class A misdemeanor;

24 (4) \$1,000 for a class B misdemeanor;

25 (5) \$300 for a violation.

26 * Sec. 19. AS 14.03.070 is amended to read:

27 Sec. 14.03.070. SCHOOL AGE. A child who is six years of age [OR
28 WHO WILL BECOME SIX YEARS OF AGE] before August 15 following [PRECED-
29 ING] the beginning of the school year, and who is under the age of 20

1 and has not completed the 12th grade, is of school age

2 * Sec. 20. AS 14.03.080(d) is amended to read:

3 (d) A child who is five years of age before August 15 following
4 [PRECEDING] the beginning of the school year, and who is under school
5 age, may enter a public school kindergarten.

6 * Sec. 21. AS 14.11.115(c)(1) is amended to read:

7 (1) "debt" means the principal amount of the direct and
8 general obligation indebtedness of the municipality for which all
9 taxable property is subject to taxation to pay the bond, note or other
10 evidence of the debt, determined annually by the Department of Commu-
11 nity and Regional Affairs in consultation with each municipality that
12 is a school district and reported to the municipality and the commis-
13 sioner of education; the determination shall be made by October 1 and
14 report the outstanding debt as of July 1 of that year [IN ACCORDANCE
15 WITH AS 14.17.140(c)];

16 * Sec. 22. AS 14.25.110(g) is amended to read:

17 (g) A member who is eligible for a service retirement salary
18 under this chapter or under the Retirement Act of 1945 is entitled to
19 a benefit of at least \$25 per month for each year of credited service,
20 excluding adjustments made under AS 14.25.142 or 14.25.143. If the
21 member elected option two under former AS 14.25.063(b)(2) for payment
22 of any indebtedness when the member initially applied for a retirement
23 benefit, or if the member elected to receive an early retirement
24 benefit under (b) of this section, the resulting benefit reduction
25 continues in effect.

26 * Sec. 23. AS 14.30.030 is amended to read:

27 Sec. 14.30.030. REPORT OF VIOLATIONS AND PROCEDURES. The chief
28 administrative officer of a district school or regional educational
29 attendance area shall report all apparent violations of AS 14.30.010

1 to the governing body of the district. The governing body shall, on
2 receiving the report or on the complaint of any person, provide for a
3 full and impartial investigation of all charges of violation. In
4 private or federal schools, the chief administrative officer shall
5 make a full and impartial investigation of all apparent violations.
6 If it reasonably appears upon investigation that a person has violated
7 AS 14.30.010, the governing body of a district school or regional
8 educational attendance area, or the chief administrative officer of a
9 private or federal school, shall make and file with the district court
10 a complaint against the person, charging the violation. [THE JUDGE OR
11 MAGISTRATE MAY ISSUE A WARRANT FOR THE ARREST OF THE PERSON AND MAY
12 ACT UPON THE COMPLAINT.]

13 * Sec. 24. AS 15.13.020(d) is repealed and reenacted to read:

14 (d) Members of the commission serve staggered terms of five
15 years, or until a successor is appointed and qualifies. The terms of
16 no two members who are members of the same political party may expire
17 in consecutive years. A member may not serve more than one term.
18 However, a person appointed to fill the unexpired term of a predeces-
19 sor may be appointed to a successive full five-year term.

20 * Sec. 25. AS 15.25.040(a) is amended to read:

21 (a) The declaration is filed by either

22 (1) the actual physical delivery of the declaration in
23 person or by mail at or before 5:00 p. m., prevailing time, June 1 of
24 the year in which a general election is held for the office, or

25 (2) the actual physical delivery by telegram of a copy in
26 substance of the statements made in paragraphs (1) - (5) of the decla-
27 ration as required by AS 15.25.030 at or before 5:00 p.m., prevailing
28 time, June 1 of the year in which a general election is held for the
29 office and also the actual physical delivery of the declaration

1 containing paragraphs (1) - (16) [(1) - (15)] as required by AS 15.-
 2 25.030 by registered mail which is received not more than 15 days
 3 after that time.

4 * Sec. 26. AS 23.20.350(e) is amended to read:

5 (e) An individual who is eligible under (d) of this section is
 6 entitled to receive a weekly benefit under this chapter for the number
 7 of weeks set out in column (B) of the table in this subsection oppo-
 8 site the applicable earnings ratio of the individual set out in column
 9 (A):

(A)	(B)
Earnings Ratio	Number of Weeks
less than <u>1.50</u> [1.49]	16
1.50 - 1.99	18
2.00 - 2.49	20
2.50 - 2.99	22
3.00 - 3.49	24
3.50 or more	26

18 * Sec. 27. AS 24.60.030(c) is amended to read:

19 (c) Conflicts of interest are prohibited but there is not a
 20 conflict of interest if, as to a specific matter, there is no substan-
 21 tial impropriety or appearance of impropriety because

22 MWC (1) the person's interest is relatively insignificant; or
 23 to (2) the person's authority is relatively far removed from
 24 Pat's bill any official action that could reasonably be affected by the potential
 25 conflict of interest, provided that no attempt has been made to remove
 26 the appearance of impropriety by delegating responsibility for offi-
 27 cial action.

28 * Sec. 28. AS 28.10.441(8) is amended to read:

29 (8) special permit for vehicle used for transport of

1 disabled or handicapped person issued under AS 28.10.495 [AS PROVIDED
2 IN AS 28.10.215] none.

3 * Sec. 29. AS 37.14.160 is amended to read:

4 Sec. 37.14.160. DUTIES OF COMMISSIONER OF REVENUE. The commis-
5 sioner of revenue is the treasurer of the fund [FUNDS] created in
6 AS 37.14.110 [AS 37.14.010 AND 37.14.110] and shall

7 (1) act as official custodian of the cash and securities
8 belonging to the fund [THOSE FUNDS] and provide adequate safe deposit
9 facilities for it [EACH OF THEM];

10 (2) receive cash belonging to the fund [THOSE FUNDS];

11 (3) collect the principal on securities acquired for the
12 [EACH] fund [ESTABLISHED UNDER AS 37.14.010 AND 37.14.110] and credit
13 the [EACH] fund accordingly;

14 (4) collect interest and dividends earned on investments of
15 the fund [FUNDS ESTABLISHED UNDER AS 37.14.010 AND 37.14.110] and
16 credit the income reserve account of the [EACH] fund accordingly;

17 (5) invest and reinvest the principal of the [EACH] fund in
18 accordance with AS 37.14.170.

19 * Sec. 30. AS 37.14.170 is amended to read:

20 Sec. 37.14.170. INVESTMENTS. (a) The commissioner of revenue,
21 with the approval of the [EACH] advisory board created in AS 37.14.120
22 [AS 37.14.020 AND 37.14.120], may invest the principal of the fund
23 [FUNDS] created in AS 37.14.110 [AS 37.14.010 AND 37.14.110] in the
24 same manner as specified for the investment of surplus pension funds
25 under AS 39.35.110.

26 (b) The commissioner of revenue may

27 (1) invest and reinvest the principal of the fund [FUNDS];

28 (2) sell, exchange, convey, transfer, or otherwise dispose
29 of investments of the fund [FUNDS] by private contract or at public

1 auction;

2 (3) vote upon a stock, bond, or other security; give a
3 general or special proxy or power of attorney with or without power of
4 substitution; exercise a conversion privilege, subscription right, or
5 other option and make payments incidental to it; consent to or partic-
6 ipate in a corporate reorganization or other change affecting corpo-
7 rate securities, delegate discretionary power, pay an assessment or
8 charge in connection with the delegation; and generally exercise any
9 of the powers of an owner with respect to stocks, bonds, securities,
10 or other investments held in the fund [FUNDS];

11 (4) make, execute, acknowledge, and deliver documents of
12 transfer and conveyance and instruments necessary or appropriate to
13 carry out the powers granted;

14 (5) register investments held in the [A] fund in the name
15 of the public school fund advisory board [HAVING THE POWER TO APPROVE
16 INVESTMENTS FOR A FUND];

17 (6) do all acts whether or not expressly authorized that
18 [WHICH] are considered proper for the protection of the investments
19 held in the fund [FUNDS].

20 * Sec. 31. AS 39.20.180 is amended to read:

21 Sec. 39.20.180. TRANSPORTATION AND PER DIEM EXPENSES FOR MEMBERS
22 OF BOARDS, COMMISSIONS, ETC. Except as otherwise provided by law,
23 [FROM AND AFTER MARCH 27, 1962,] the provisions in this section re-
24 lating to per diem and transportation govern exclusively [AND SUPER-
25 SEDE ALL OTHER PROVISIONS OF LAW] with respect to a member of a state
26 board, commission, committee, judicial council, or other similar body
27 of persons of the state organized or established under the authority
28 of law, but excluding any other state employee other than a legis-
29 lator, who is otherwise entitled by law to receive from the state

1 payments for expenses of transportation, and for reimbursement or for
2 per diem in lieu of reimbursement for other expenses incident to
3 duties as such member:

4 (1) for [FOR] transportation, the member is entitled either
5 to the use of state transportation requests, or to be reimbursed for
6 expenses of transportation to the same extent, in the same manner, and
7 under the same conditions as provided for state officials and employ-
8 ees by the provisions of AS 39.20.110 - 39.20.170; [.]

9 (2) for [FOR] reimbursement for other expenses, the member
10 is entitled to a per diem allowance prescribed by the commissioner of
11 administration under the regulatory authority set out in AS 39.20.160
12 for each day or portion of a day spent in actual meeting or on au-
13 thorized official business incident to duties as a member.

14 * Sec. 32. AS 41.17.043 is amended to read:

15 Sec. 41.17.043. TERMS OF OFFICE. The term of office of a member
16 of the board is three years [; THE GOVERNOR SHALL MAKE THE INITIAL
17 APPOINTMENTS TO THE BOARD IN SUCH A WAY THAT FOUR NOMINATIONS EXPIRE
18 DURING 1980, FOUR APPOINTMENTS EXPIRE DURING 1981, AND THREE APPOINT-
19 MENTS EXPIRE DURING 1982]. The state forester serves an indefinite
20 term, ex officio.

21 * Sec. 33. AS 41.17.400(b) is amended to read:

22 (b) The commissioner shall prepare a management plan for the
23 Tanana Valley State Forest under AS 41.17.230. [THE COMMISSIONER
24 SHALL SUBMIT THE MANAGEMENT PLAN TO THE LEGISLATURE FOR ITS APPROVAL
25 WITHIN THE FIRST 10 DAYS OF THE SECOND SESSION OF THE FOURTEENTH STATE
26 LEGISLATURE. THE MANAGEMENT PLAN FOR THE TANANA VALLEY STATE FOREST
27 IS APPROVED UNLESS THE LEGISLATURE ADOPTS LEGISLATION DISAPPROVING THE
28 MANAGEMENT PLAN.]

29 * Sec. 34. AS 41.17.400(c) is amended to read:

1 (c) In addition to [THE COMMISSIONER SHALL CONSIDER AND PERMIT]
2 the uses described in AS 41.17.230(e), the [WITHIN THE TANANA VALLEY
3 STATE FOREST, SUBJECT TO THE PROCEDURES ESTABLISHED IN AS 41.17.-
4 230(f). THE] commissioner may establish transportation corridors
5 within the Tanana Valley State Forest.

6 * Sec. 35. AS 41.21.506(a) is amended to read:

7 (a) The [WITHIN TWO YEARS FROM JUNE 2, 1984 THE] commissioner
8 shall develop and adopt a comprehensive management plan for the Kenai
9 River Special Management Area in consultation with the Kenai Peninsula
10 Borough. The plan may include the land adjacent to the rivers de-
11 scribed in AS 41.21.502(a)(1) - (3) whether the land is owned by the
12 state or privately owned and may include other land considered appro-
13 priate by the commissioner and the Kenai Peninsula Borough. The
14 commissioner shall periodically review the plan and adopt changes to
15 the plan in consultation with the Kenai Peninsula Borough.

16 * Sec. 36. AS 41.99 is amended by adding a new section to read:

17 Sec. 41.99.900. DEFINITIONS. In this title, unless the context
18 requires otherwise,

19 (1) "commissioner" means the commissioner of natural re-
20 sources;

21 (2) "department" means the Department of Natural Resources.

22 * Sec. 37. AS 44.21.160(f) is amended to read:

23 (f) The department [DIVISION OF DATA PROCESSING] shall provide
24 [COORDINATE WITH THE DIVISION OF TELECOMMUNICATIONS IN PROVIDING] for
25 the effective transfer of information by telecommunications through
26 the establishment of compatible systems and common standards.

27 * Sec. 38. AS 44.27.052 is amended to read:

28 Sec. 44.27.052. POWERS OF COUNCIL. The council may (1) [IS
29 AUTHORIZED AND EMPOWERED TO] hold public and private hearings; (2) [,

1 TO] enter into contracts, within the limit of funds available, with
2 individuals, organizations, and institutions for services furthering
3 the educational objectives of the council's programs; (3) [TO] enter
4 into contracts, within the limit of funds available, with local and
5 regional associations for cooperative endeavors furthering the educa-
6 tional objectives of the council's programs; (4) [TO] accept gifts,
7 contributions, and bequests of unrestricted funds from individuals,
8 foundations, corporations, and other organizations or institutions for
9 the purpose of furthering the educational objectives of the council's
10 programs; and (5) [TO] make and sign agreements and to do and perform
11 any acts necessary to carry out the purposes of AS 44.27.040 - 44.27.-
12 060 [AS 44.27.040 - 44.27.058]. The council may request and is
13 entitled to receive from any department, division, board, bureau,
14 commission, or agency of the state the assistance and data that
15 [WHICH] will enable it properly to carry out its powers and duties.
16 The council is authorized to receive state funds made available for
17 its purposes.

18 * Sec. 39. AS 44.81.270(a) is amended to read:

19 (a) At the direction of the Legislative Budget and Audit Commit-
20 tee under AS 24.20.271, the [THE] legislative auditor may conduct an
21 audit of [CAUSE] the bank [TO BE AUDITED IN THE MANNER AND UNDER THE
22 CONDITIONS PRESCRIBED BY AS 24.20.271 FOR AUDITS PERFORMED BY THE
23 LEGISLATIVE AUDIT DIVISION]. The legislative audit division has free
24 access to all books and papers of the bank that relate to its business
25 and books and papers kept by a director, officer, or employee relating
26 to or upon which a record of its business is kept, and may summon
27 witnesses and administer oaths or affirmations in the examination of
28 the directors, officers, or employees of the bank or any other person
29 in relation to its affairs, transactions, and conditions, and may

1 require and compel the production of records, books, papers, con-
2 tracts, or other documents by court order if not voluntarily produced.

3 * Sec. 40. AS 44 81.270(b) is amended to read:

4 (b) The bank shall be audited annually by independent outside
5 auditors. The legislative auditor may confer with the outside audi-
6 tors and review the workpapers of the audit. [AT THE DIRECTION OF THE
7 LEGISLATIVE BUDGET AND AUDIT COMMITTEE UNDER AS 24.20.271, THE LEGIS-
8 LATIVE AUDITOR MAY CONDUCT AN AUDIT OF THE BANK.]

9 * Sec. 41. AS 44.85.270(i) is amended to read:

10 (i) All references to the "reserve fund" in this section include
11 special accounts within the reserve fund which may be created by the
12 authority to secure the payment of particular bonds [, INCLUDING,
13 WITHOUT LIMITATION, BONDS ISSUED BY THE CAPITAL CITY ESTABLISHED UNDER
14 AS 29.14.010]. The commissioner of revenue may lend surplus money in
15 the general fund to the authority for deposit to any account in the
16 reserve fund in an amount equal to the required debt service reserve.
17 The loans shall be made on such terms and conditions as may be agreed
18 upon by the commissioner of revenue and the authority, including,
19 without limitation, terms and conditions providing that the loans need
20 not be repaid until the obligations of the corporation secured and to
21 be secured by the account in the reserve fund are no longer outstand-
22 ing.

23 * Sec. 42. AS 08.40.080; AS 15.05.016; AS 15.15.213; AS 19.10.220;
24 AS 19.25.110, 19.25.120; AS 41.06.060(1); AS 41.15.170(1); AS 41.17.950(3),
25 41.17.950(4); AS 41.21.990(1), 41.21.990(2); AS 41.30; AS 41.35.230(1),
26 41.35.230(3); AS 44.33.020(11); and AS 44.81.010(c) are repealed.

27 * Sec. 43. Sections 19 and 20 of this Act take effect July 1, 1988.

28 * Sec. 44. Except for secs. 19 and 20, this Act takes effect immediate-
29 ly under AS 01.10.070(c).

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4 15

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
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LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. JUD.	5-8-88	1:30 p.m.
H. JUD.	5-7-88	1:30 p.m.
H. JUD.	5-6-88	1:30 p.m.
H. JUD	5-5-88	1:30 p.m.

go0608sN

Ford
5/8/88

Original sponsor: Rules/Governor

<u>Funding Information</u>	
General Fund	\$3,500,000
Other Funds	-0-
	<u>\$3,500,000</u>

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 415 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Alaska
7 Court System; and providing for an effective date."

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

9 * Section 1. LEGISLATIVE INTENT. It is the intent of the legislature
10 that a committee composed of two senators, appointed by the senate presi-
11 dent, and two representatives, appointed by the speaker of the house, be
12 established to meet with representatives of the Alaska Court System for the
13 purpose of reviewing the size, cost, and method of financing of the court
14 facility in Anchorage.

15 * Sec. 2. The sum of \$3,500,000 is appropriated from the general fund
16 to the Alaska Court System for planning and designing an expanded court
17 facility in Anchorage.

18 * Sec. 3. Section 2 of this Act takes effect ^{30 days after} ~~on~~ the date the Alaska
19 Court System files a report with the Legislative Budget and Audit Committee
20 on the size, cost, and method of financing for a court facility in Anchor-
21 age that does not exceed 250,000 square feet.

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5 17:5 Comm 11/7/88

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go0608sN ✓

Ford
5/8/88

Original sponsor: Rules/Governor

Funding Information

General Fund	\$3,900,000
Other Funds	-0-
	<u>\$3,900,000</u>

DRAFT

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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11 dent, and two representatives, appointed by the speaker of the house, be
12 established to meet with representatives of the Alaska Court System for the
13 purpose of reviewing the size, cost, and method of financing of the court
14 facility in Anchorage.15 * Sec. 2. The sum of \$3,900,000 is appropriated from the general fund
16 to the Alaska Court System for planning and designing an expanded court
17 facility in Anchorage.18 * Sec. 3. The appropriation made by this Act is for a capital project
19 and is subject to AS 37.25.020.20 * Sec. 4. Section 2 of this Act takes effect 30 days after the date the
21 Alaska Court System and the committee established in sec. 1 of this Act
22 jointly file a report with the Legislative Budget and Audit Committee on
23 the size, cost, and method of financing for a court facility in Anchorage
24 that does not exceed 250,000 square feet.
25

DRAFT

Letter of Intent
HCS SB 415

It is the intent of the legislature that the committee established in section 1 of the House Committee Substitute for SB 415 report to Legislative Budget and Audit Committee by Aug 30th, 1988 with a preliminary plan for the court facility in Anchorage as described in section 3 of the bill.

It is further the intent of the legislature that the committee develop and submit alternative financing plans for approval during the first session of 16th Alaska State Legislature

Members participating on the committee established in this Act shall have their travel and per diem paid for out of existing appropriations for the legislature and the Alaska Court System.

Sec. 1 - No change

Sec. 2 - No change

Sec. 3 - No change

Sec. 4 - "Section 2 of this Act takes effect 30 days after the date the Alaska Court System files a report with the Legislative Budget and Audit Committee on the size, cost, and method of financing for a court facility in Anchorage. The report shall be filed on or before August 1, 1988. The report shall include a submission showing the size, cost, and method of financing a facility that does not exceed 250,000 square feet. At the request of the legislative committee described in Section 1, or any member thereof, the report shall be accompanied by an appendix containing the comments or observations of the legislative committee or individual members thereof."

Letter of Intent

"It is the intent of the legislature that the committee established in section 1 of the House Committee Substitute for SB 415 shall submit committee or, as the case may be, individual member comments, regarding the size, cost, and method of financing the court facility in Anchorage, which shall be presented to the Budget and Audit Committee in conjunction with the report to be made by the Court System. The committee or member comments should include any alternative financing plans for the consideration of the Court System and the Legislature. The report of the Court System should also include alternative financing plans.

"Members participating on the committee established in this Act shall have their travel and per diem paid for

out of existing appropriations for the legislature."

5-9-88

BOND SIZE SCHEDULE	B P	BONDCALC II
STATE OF ALASKA		Dated: 01-Apr-89
ANCHORAGE COUR? BUILDING		Last maturity: 01-Apr-2000
Cost to complete construction	85,637,060	
Prior costs to be repaid from bond proceeds	0	
Gross construction costs	85,637,000	
Less: Interest earned on Construction Fund: 5.00% compounded semi-annually	(5,402,962)	
Net deposit to Construction Fund		80,234,038
Gross capitalized interest	19,801,250	
Less: Interest earned on Capitalized Interest Funds: 5.00% compounded semi-annually	(1,402,611)	
Net deposit to Capitalized Interest Fund		18,398,639
Gross Debt Service Reserve Requirement	18,232,675	
Less: Interest earned on Debt Service Reserve Fund: 6.20% compounded semi-annually	(2,660,571)	
Net deposit to Debt Service Reserve Fund		15,572,104
Gross contingency fund requirement	4,244,350	
Less: Interest earned on Contingency Fund: 5.00% compounded semi-annually	(508,370)	
Net deposit to Contingency Fund		3,735,980
Less: Interest accrued from dated date		0
Underwriter spread: \$13.00 /1000		1,556,750
Bond Insurance		0
Other issuance costs		250,000
Rounding amount		2,489
Amount to be borrowed		119,750,000
Average interest cost (NIC)		5.94969
Effective interest cost (TIC)	B P	7.01474
Bond life (in years)		7.41674
Average annual debt service		16,356,118
Maximum annual debt service		18,232,675

Prepared by DEPARTMENT OF REVENUE

Date prepared: 27-Apr-88

SEMI-ANNUAL DEBT SERVICE SCHEDULE

10 P

BONDCALC 11

STATE OF ALASKA
ANCHORAGE COURT BUILDING

Dated: 01-Apr-89
Last maturity: 01-Apr-2000

Year	Date	Interest Rates	Maturing Principal	Interest	Gross Annual Debt Service	Balance Outstanding	Capitalized Interest	D.S. Reserve Applied Interest	D.S. Reserve Applied Principal	Net Annual Debt Service
	01-Oct-89			3,960,250			3,960,250	0		
1	01-Apr-90	5.350	0	3,960,250	7,920,500	119,750,000	3,960,250	0		0
	01-Oct-90			3,960,250			3,960,250	0		
2	01-Apr-91	5.550	0	3,960,250	7,920,500	119,750,000	3,960,250	0		0
	01-Oct-91			3,960,250			3,960,250	239,156		
3	01-Apr-92	5.750	10,310,000	3,960,250	18,230,500	109,440,000	0	239,156		13,791,939
	01-Oct-92			3,663,838				573,974		
4	01-Apr-93	6.000	10,905,000	3,663,838	18,232,675	98,535,000		573,974		17,084,728
	01-Oct-93			3,336,688				573,974		
5	01-Apr-94	6.200	11,555,000	3,336,688	18,228,375	86,980,000		573,974		17,080,428
	01-Oct-94			2,978,483				573,974		
6	01-Apr-95	6.400	12,275,000	2,978,483	18,231,965	74,705,000		573,974		17,084,018
	01-Oct-95			2,585,683				573,974		
7	01-Apr-96	6.550	13,060,000	2,585,683	18,231,365	61,645,000		573,974		17,083,418
	01-Oct-96			2,157,968				573,974		
8	01-Apr-97	6.750	13,915,000	2,157,968	18,230,935	47,730,000		573,974		17,082,988
	01-Oct-97			1,688,336				573,974		
9	01-Apr-98	6.900	14,855,000	1,688,336	18,231,673	32,875,000		573,974		17,083,725
	01-Oct-98			1,175,839				573,974		
10	01-Apr-99	7.050	15,880,000	1,175,839	18,231,678	16,995,000		573,974	1,085,162	15,998,568
	01-Oct-99			616,069				573,974		
11	01-Apr-2000	7.250	16,995,000	616,069	18,227,138	0		573,974	17,147,513	(0)
			119,750,000	60,167,303	179,917,303			9,661,891	18,232,675	132,289,809

Prepared by DEPARTMENT OF REVENUE

Date prepared: 27-Apr-88

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BOND SIZE SCHEDULE                    5 P                    BONDCALC II
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STATE OF ALASKA                        Dated: 01-Apr-89
ANCHORAGE COURT BUILDING              Last maturity: 01-Apr-2010
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Cost to complete construction          85,637,000
Prior costs to be repaid from bond proceeds      0
-----
Gross construction costs                85,637,000
Less: Interest earned on Construction Fund:
      5.00% compounded semi-annually          (5,402,962)
-----
Net deposit to Construction Fund                                80,234,038

Gross capitalized interest              21,586,838
Less: Interest earned on Capitalized Interest
      Funds:
      5.00% compounded semi-annually          (1,529,089)
-----
Net deposit to Capitalized Interest Fund                    20,057,749

Gross Debt Service Reserve Requirement    11,786,168
Less: Interest earned on Debt Service
      Reserve Fund:
      6.20% compounded semi-annually          (1,719,876)
-----
Net deposit to Debt Service Reserve Fund                    10,066,292

Gross contingency fund requirement        4,244,350
Less: Interest earned on Contingency Fund:
      5.00% compounded semi-annually          (508,370)
-----
Net deposit to Contingency Fund                                3,735,980
Less: Interest accrued from dated date      0
Underwriter spread: $13.00 /1000          1,506,115
Bond Insurance                                                                    0
Other issuance costs                                                                250,000
Rounding amount                                                                    4,326
-----
Amount to be borrowed                                115,855,000

Average interest cost (NIC)                                7.78994
Effective interest cost (TIC)                    5 P          7.81230
Bond life (in years)                                14.05093
Average annual debt service                      11,483,762
Maximum annual debt service                      11,786,168

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Prepared by DEPARTMENT OF REVENUE          Date prepared: 09-May-88
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BOND SIZE SCHEDULE	S P	BONDCALC II
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STATE OF ALASKA	Dated: 01-Apr-89
ANCHORAGE COURT BUILDING	Last maturity: 01-Apr-2020

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Cost to complete construction	85,637,000	
Prior costs to be repaid from bond proceeds	0	
<hr style="border-top: 1px dashed black;"/>		
Gross construction costs	85,637,000	
Less: Interest earned on Construction Fund: 5.00% compounded semi-annually	(5,402,962)	
Net deposit to Construction Fund		80,234,038
Gross capitalized interest	24,472,663	
Less: Interest earned on Capitalized Interest Fund: 5.00% compounded semi-annually	(1,733,504)	
Net deposit to Capitalized Interest Fund		22,739,158
Gross Debt Service Reserve Requirement	11,063,450	
Less: Interest earned on Debt Service Reserve Fund: 6.20% compounded semi-annually	(1,614,415)	
Net deposit to Debt Service Reserve Fund		9,449,035
Gross contingency fund requirement	4,244,350	
Less: Interest earned on Contingency Fund: 5.00% compounded semi-annually	(508,370)	
Net deposit to Contingency Fund		3,735,980
Less: Interest accrued from dated date		0
Underwriter spread: \$13.00 /1000		1,533,285
Bond Insurance		0
Other issuance costs		250,000
Rounding amount		3,503
Amount to be borrowed		117,945,000
<hr style="border-top: 1px dashed black;"/>		
Average interest cost (NIC)		8.63941
Effective interest cost (TIC)	S P	8.51852
Bond life (in years)		21.97639
Average annual debt service		10,978,895
Maximum annual debt service		11,063,450

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Prepared by DEPARTMENT OF REVENUE	Date prepared: 09-May-88
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SEMI-ANNUAL DEBT SERVICE SCHEDULE

10 P

BONDCALC II

STATE OF ALASKA
ANCHORAGE COURT BUILDING

Dated: 01-Apr-89

Last maturity: 01-Apr-2020

Year	Date	Interest Rates	Maturing Principal	Interest	Gross Annual Debt Service	Balance Outstanding	Capitalized Interest	D.S. Reserve Applied Interest	D.S. Reserve Applied Principal	Net Annual Debt Service
	01-Oct-89			4,894,533			4,894,533	0		
1	01-Apr-90	5.350	0	4,894,533	9,789,065	117,945,000	4,894,533	0		0
	01-Oct-90			4,894,533			4,894,533	0		
2	01-Apr-91	5.550	0	4,894,533	9,789,065	117,945,000	4,894,533	0		0
	01-Oct-91			4,894,533			4,894,533	145,118		
3	01-Apr-92	5.750	1,270,000	4,894,533	11,059,065	116,675,000	0	145,118		5,874,297
	01-Oct-92			4,858,020				348,283		
4	01-Apr-93	6.000	1,345,000	4,858,020	11,061,040	115,330,000		348,283		10,364,474
	01-Oct-93			4,817,670				348,283		
5	01-Apr-94	6.200	1,425,000	4,817,670	11,060,340	113,905,000		348,283		10,363,774
	01-Oct-94			4,773,495				348,283		
6	01-Apr-95	6.400	1,515,000	4,773,495	11,061,990	112,390,000		348,283		10,365,424
	01-Oct-95			4,725,015				348,283		
7	01-Apr-96	6.550	1,610,000	4,725,015	11,060,030	110,780,000		348,283		10,363,464
	01-Oct-96			4,672,288				348,283		
8	01-Apr-97	6.750	1,715,000	4,672,288	11,059,575	109,065,000		348,283		10,363,009
	01-Oct-97			4,614,406				348,283		
9	01-Apr-98	6.900	1,830,000	4,614,406	11,058,813	107,235,000		348,283		10,362,247
	01-Oct-98			4,551,271				348,283		
10	01-Apr-99	7.050	1,960,000	4,551,271	11,062,543	105,275,000		348,283		10,365,977
	01-Oct-99			4,482,181				348,283		
11	01-Apr-2000	7.250	2,095,000	4,482,181	11,059,367	103,180,000		348,283		10,362,797
	01-Oct-2000			4,406,238				348,283		
12	01-Apr-2001	7.350	2,250,000	4,406,238	11,062,475	100,930,000		348,283		10,365,909
	01-Oct-2001			4,323,550				348,283		
13	01-Apr-2002	7.450	2,415,000	4,323,550	11,062,100	98,515,000		348,283		10,365,534
	01-Oct-2002			4,233,591				348,283		
14	01-Apr-2003	7.550	2,595,000	4,233,591	11,062,183	95,920,000		348,283		10,365,617
	01-Oct-2003			4,135,630				348,283		
15	01-Apr-2004	7.650	2,790,000	4,135,630	11,061,260	93,130,000		348,283		10,364,694
	01-Oct-2004			4,028,913				348,283		
16	01-Apr-2005	7.750	3,005,000	4,028,913	11,062,625	90,125,000		348,283		10,366,259
	01-Oct-2005			3,912,469				348,283		
17	01-Apr-2006	7.850	3,235,000	3,912,469	11,059,938	86,890,000		348,283		10,363,372
	01-Oct-2006			3,785,495				348,283		
18	01-Apr-2007	7.950	3,490,000	3,785,495	11,060,990	83,400,000		348,283		10,364,424
	01-Oct-2007			3,646,765				348,283		
19	01-Apr-2008	8.050	3,765,000	3,646,765	11,058,535	79,635,000		348,283		10,361,969
	01-Oct-2008			3,495,226				348,283		
20	01-Apr-2009	8.150	4,070,000	3,495,226	11,060,453	75,565,000		348,283		10,363,887
	01-Oct-2009			3,329,374				348,283		
21	01-Apr-2010	8.250	4,400,000	3,329,374	11,058,748	71,165,000		348,283		10,362,182
	01-Oct-2010			3,147,874				348,283		
22	01-Apr-2011	8.350	4,765,000	3,147,874	11,060,748	66,400,000		348,283		10,364,182
	01-Oct-2011			2,948,935				348,283		
23	01-Apr-2012	8.450	5,165,000	2,948,935	11,062,870	61,235,000		348,283		10,366,304
	01-Oct-2012			2,730,714				348,283		

Year	Date	Interest Rates	Maturing Principal	Interest	Gross Annual Debt Service	Balance Outstanding	Capitalized Interest	D.S.Reserve Applied Interest	D.S.Reserve Applied Principal	Net Annual Debt Service
24	01-Apr-2013	8.550	5,600,000	2,730,714	11,061,428	55,635,000		348,283		10,364,862
	01-Oct-2013			2,491,314				348,283		
25	01-Apr-2014	8.650	6,080,000	2,491,314	11,062,628	49,555,000		348,283		10,366,062
	01-Oct-2014			2,228,354				348,283		
26	01-Apr-2015	8.750	6,605,000	2,228,354	11,061,708	42,950,000		348,283		10,365,142
	01-Oct-2015			1,939,385				348,283		
27	01-Apr-2016	8.850	7,180,000	1,939,385	11,058,770	35,770,000		348,283		10,362,204
	01-Oct-2016			1,621,670				348,283		
28	01-Apr-2017	8.950	7,820,000	1,621,670	11,063,340	27,950,000		348,283		10,366,774
Right}*(Home	01-Oct-2017			1,271,725				348,283		
29	01-Apr-2018	9.100	8,520,000	1,271,725	11,063,450	19,430,000		348,283		10,366,884
	01-Oct-2018			884,065				348,283		
30	01-Apr-2019	9.100	9,295,000	884,065	11,063,130	10,135,000		348,283	661,107	9,705,457
	01-Oct-2019			461,143				348,283		
31	01-Apr-2020	9.100	10,135,000	461,143	11,057,285	0		348,283	10,402,343	0
			117,945,000	222,400,748	340,345,748			19,794,080	11,063,450	265,057,179

Prepared by DEPARTMENT OF REVENUE

Date prepared: 09-May-88

DRAFT

Letter of Intent
HCS SB 415

It is the intent of the legislature that the committee established in section 1 of the House Committee Substitute for SB 415 report to Legislative Budget and Audit Committee by Aug 30th, 1988 with a preliminary plan for the court facility in Anchorage as described in section 3 of the bill.

It is further the intent of the legislature that the committee develop and submit alternative financing plans for approval during the first session of 16th Alaska State Legislature ⊗

Members participating on the committee established in this Act shall have their travel and per diem paid for out of existing appropriations for the legislature and the Alaska Court System.

Consideration
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