



LAWS OF ALASKA

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Source
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Chapter No.
43

AN ACT

Relating to the Milk Control Advisory Board, Museum Collections Advisory Committee, Alaska Workers' Compensation Board, resource development authorities, Board of Parole, railroad labor relations agency, Alaska School Activities Association, Steering Council for Alaska Lands, Rural Affairs Commission, Governor's Commission on the Involvement of Young People in Government, Yukon-Taiya Commission, environmental advisory board, Alaska Gas Pipeline Financing Authority, and Alaska Manpower Services Council; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: May 15, 1994

Actual Effective Date: Sections 9 - 11 are retroactive to January 1, 1986;
remainder of Act takes effect May 16, 1994

AN ACT

1 Relating to the Milk Control Advisory Board, Museum Collections Advisory Committee,
2 Alaska Workers' Compensation Board, resource development authorities, Board of Parole,
3 railroad labor relations agency, Alaska School Activities Association, Steering Council for
4 Alaska Lands, Rural Affairs Commission, Governor's Commission on the Involvement of
5 Young People in Government, Yukon-Taiya Commission, environmental advisory board,
6 Alaska Gas Pipeline Financing Authority, and Alaska Manpower Services Council; and
7 providing for an effective date.

8

9 * Section 1. AS 03.17.010 is amended to read:

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1 Sec. 03.17.010. DUTIES OF THE DIRECTOR. The director shall [(1)]
2 administer and enforce this chapter [, (2) ENFORCE THIS CHAPTER] and the
3 provisions of marketing orders issued under this chapter [, AND (3) HAVE AN
4 ACCOUNTING MADE OF THE FUNDS HELD BY THE BOARD AT LEAST
5 ANNUALLY].

6 * Sec. 2. AS 03.17.040(a) is amended to read:

7 (a) Subject to AS 03.17.060 and AS 44.62 ([THE] Administrative Procedure
8 Act) [(AS 44.62), AND WITH THE ADVICE OF THE BOARD], the director may
9 issue, amend, or repeal marketing orders to regulate the marketing of milk in specified
10 regions of the state. A milk marketing order may be issued to

- 11 (1) establish orderly marketing of milk;
- 12 (2) provide for uniform grading and classification of milk;
- 13 (3) provide for the proper preparation of milk for market;
- 14 (4) ensure [INSURE] an adequate supply of milk;
- 15 (5) eliminate unfair competitive practices;
- 16 (6) assist producers to adjust to changing conditions;
- 17 (7) maintain incentive for the production of high quality milk under the

18 most sanitary conditions;

19 (8) conduct research and provide information for the benefit of the
20 producer and the consumer.

21 * Sec. 3. AS 03.17.050(a) is amended to read:

22 (a) A marketing order may direct that

23 (1) a determination be made whether a surplus of milk exists and, if
24 so, its extent;

25 (2) a surplus be disposed of with a proration of the burden of any loss
26 among the handlers;

27 (3) the quantity, class, or grade of milk sold for a certain period be
28 limited;

29 (4) the quantity a producer may sell be limited, based upon the quantity
30 available, the quantities previously handled, or both;

31 (5) the quantity or grade a handler may handle during specified periods,

1 based upon the quantity a handler has available, or quantities previously handled, or
2 both;

3 (6) there be specified periods during which a particular grade of milk
4 may be distributed;

5 (7) a surplus pool of milk or a class or grade of milk be formed and
6 the milk sold, and the proceeds of sale be equitably distributed;

7 (8) milk be inspected, graded, and classified, or any of these;

8 (9) an assessment, not to exceed three percent of value, be levied on
9 the sale of milk to provide a fund for advertising and [,] sales promotion [, AND THE
10 EXPENSES OF THE BOARD];

11 (10) prices at which a grade, class, or quantity will be sold be posted;

12 (11) milk be labeled;

13 (12) stations be established for the receiving and weighing of milk, and
14 the collection of assessments;

15 (13) cooperative investigations or undertakings be entered into with
16 other state or federal agencies.

17 * Sec. 4. AS 14.57.030(b) is amended to read:

18 (b) The committee shall meet at least once every six months and at the call
19 of its chair [CHAIRMAN], on petition of a majority of its members, or at the call of
20 the commissioner, or the director of the museum, at a mutually convenient time and
21 place both for the members of the committee and for interested members of the public.

22 A meeting of the committee may be held by teleconference.

23 * Sec. 5. AS 14.57.050(b) is amended to read:

24 (b) Artifacts, natural history specimens, art objects, collections, or other items,
25 materials, or properties that relate to the history of Alaska and are appropriate for
26 preservation in the state museum of a value of \$5,000 [\$1,000] or more may not be
27 acquired by purchase, gift, or exchange, or otherwise nor may any item owned by, or
28 in the custody of, the state museum be disposed of by sale, gift, exchange, or
29 otherwise, without the written approval of the committee. In recommending the
30 acquisition or disposal of an item under this subsection for the state museum, the
31 committee shall evaluate the need for the item or collection proposed for acquisition

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1 or disposal with reference to the scope of collections of the state museums.

2 * **Sec. 6.** AS 14.57.060 is amended to read:

3 Sec. 14.57.060. **ADVISORY DUTIES.** The committee shall act in an advisory
4 capacity to the board as to the general acquisition and deaccession policies and
5 programs of the state museum.

6 * **Sec. 7.** AS 23.30.005(a) is amended to read:

7 (a) The Alaska Workers' Compensation Board consists of a southern panel of
8 three members sitting for the first judicial district, a northern panel of three members
9 sitting for the second and fourth judicial districts, three [TWO] southcentral panels of
10 three members each sitting for the third judicial district, and one panel of three
11 members that may sit in any judicial district. Each panel must include the
12 commissioner of labor or the designated representative of the commissioner, a
13 representative of industry, and a representative of labor. The latter two members of
14 each panel shall be appointed by the governor and are subject to confirmation by a
15 majority of the members of the legislature in joint session.

16 * **Sec. 8.** AS 30.13.010(a) is amended to read:

17 (a) The residents of each area of the state within the boundaries of a regional
18 housing authority established under AS 18.55.996 which is located in whole or in part
19 in the unorganized borough of the state may create a public body corporate and politic
20 under the name and style of the "_____ Resource Development
21 Authority" with all or any significant part of the name of the region of the state
22 inserted. The boundaries of the authority created shall be coterminous with the portion
23 of the applicable regional housing authority that lies in the unorganized borough.
24 Creation of an authority is initiated by a petition filed with the Department of
25 Community and Regional Affairs and a statement submitted to the governor [BEFORE
26 JULY 1, 1986]. The petition must include the proposed name of the authority, its
27 boundaries, and a statement of the facilities proposed to be provided by the authority.
28 The petition must be signed by 15 percent of the total number of residents in the
29 portion of the applicable regional housing authority that lies in the unorganized
30 borough who cast votes in the preceding general election. The Department of
31 Community and Regional Affairs shall review petitions for content and signatures. If

1 the department determines that the petition is adequate, it shall transmit the petition to
2 the director of elections.

3 * Sec. 9. AS 33.16.050(c) is amended to read:

4 (c) Except as provided in (e) of this section, decisions [DECISIONS] and
5 orders of the board require the affirmative votes of a majority of the members present.

6 * Sec. 10. AS 33.16.050 is amended by adding a new subsection to read:

7 (e) A meeting of the board is not required for a decision or order setting
8 special conditions of mandatory parole by a single member of the board under
9 AS 33.16.150(b) and (e). If a prisoner or parolee who is aggrieved by the board
10 member's decision or order applies to the full board under AS 33.16.150(e) and
11 33.16.160 for a change in parole conditions, the board shall meet to act on the
12 application.

13 * Sec. 11. AS 33.16.150 is amended by adding a new subsection to read:

14 (e) The board may delegate its authority under this section to a single member
15 of the board to issue a decision or order on behalf of the board setting special
16 conditions of mandatory parole. A prisoner or parolee aggrieved by a decision or
17 order of a single board member under this section may request a change in mandatory
18 parole conditions by applying to the full board under AS 33.16.160.

19 * Sec. 12. AS 42.40.850(c) is amended to read:

20 (c) If an impasse or deadlock still exists after the issuance of an injunction, the
21 parties shall submit the dispute to binding arbitration. The railroad labor relations
22 agency shall appoint an arbitrator selected by the parties by mutual consent. If
23 the parties are unable to agree on an arbitrator, the railroad labor relations
24 agency shall appoint an arbitrator from a list of arbitrators knowledgeable in
25 railroad labor agreements. The arbitrator shall [BE THE SAME PERSON
26 SELECTED UNDER AS 42.40.840 AND SHALL] fashion the award the arbitrator
27 considers equitable.

28 * Sec. 13. AS 03.17.020, 03.17.030, 03.17.100(l); AS 14.07.058, 14.07.059; AS 38.95.100,
29 38.95.110, 38.95.120, 38.95.130, 38.95.140; AS 39.05.060(a)(4); AS 39.25.110(11)(A);
30 AS 44.19.101, 44.19.102, 44.19.103, 44.19.104, 44.19.105, 44.19.123, 44.19.124, 44.19.125,
31 44.19.126, 44.19.130, 44.19.181, 44.19.182, 44.19.183, 44.19.184, 44.19.185, 44.19.186,

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- 1** 44.19.187, 44.19.188; AS 44.46.030, 44.46.040, 44.46.050; AS 44.47.050(a)(15); AS 44.82;
2 and AS 44.99.010 are repealed.
- 3** * **Sec. 14.** Sections 9 - 11 of this Act are retroactive to January 1, 1986.
- 4** * **Sec. 15.** This Act takes effect immediately under AS 01.10.070(c).