



LAWS OF ALASKA

1991

Source

SCS HB 126(STA)

Chapter No.

90

AN ACT

Making technical amendments to program receipts provisions in the Alaska Statutes as recommended by the revisor of statutes in order to conform the statutes to ch. 36, SLA 1990; 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: July 2, 1991
Actual Effective Date: July 3, 1991

AN ACT

1 Making technical amendments to program receipts provisions in the Alaska Statutes as
2 recommended by the revisor of statutes in order to conform the statutes to ch. 36, SLA
3 1990; and providing for an effective date.
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7 * Section 1. AS 02.15.130 is amended to read:

8 Sec. 02.15.130. ASSISTANCE TO THE FEDERAL GOVERNMENT,
9 MUNICIPALITIES AND OTHER PERSONS. The department may make available its
10 engineering, maintenance, and other services, with or without charge, to the federal government,
11 or to a municipality or person in connection with the planning, acquisition, construction,
12 improvement, maintenance, or operation of airports or air navigation facilities. [THE
13 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR MONEY
14 THAT IS GENERATED BY THE PROVISION OF SERVICES TO NONSTATE ENTITIES
15 UNDER THIS SECTION AND THAT THE DEPARTMENT DEPOSITS IN THE GENERAL
16 FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY
17 THE LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO CARRY
18 OUT THE PURPOSES OF THIS SECTION.]

19 * Sec. 2. AS 04.11.590(c) is amended to read:

20 (c) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
21 ACCOUNT FOR ALL APPLICATION FEES, LICENSE FEES, AND CIVIL FINES

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1 COLLECTED UNDER THIS TITLE THAT THE DEPARTMENT OF REVENUE DEPOSITS
2 IN THE GENERAL FUND.] The annual estimated balance in the account maintained by the
3 commissioner of administration under AS 37.05.142 may be used by the legislature to make
4 appropriations to the Department of Revenue to carry out the purposes of AS 04.06.

5 * Sec. 3. AS 08.54.470(d) is amended to read:

6 (d) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
7 ACCOUNT FOR COMMERCIAL USE PERMIT FEES DEPOSITED IN THE GENERAL
8 FUND BY THE DEPARTMENT.] The annual estimated balance in the account maintained by
9 the commissioner of administration under AS 37.05.142 may be used by the legislature to
10 make appropriations to the Department of Fish and Game and the Department of Public Safety
11 to carry out their respective responsibilities for management of game resources and enforcement
12 of game laws.

13 * Sec. 4. AS 14.07.059(d) is amended to read:

14 (d) The department shall deposit in the Alaska school activities fund all fees, including
15 membership fees and activity and events fees collected by the Alaska School Activities
16 Association. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
17 ACCOUNT FOR THE DEPOSITS INTO THE FUND. THE ANNUAL ESTIMATED
18 BALANCE IN THE FUND MAY BE USED BY THE LEGISLATURE TO MAKE
19 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS
20 SECTION.]

21 * Sec. 5. AS 14.20.020(e) is amended to read:

22 (e) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
23 ACCOUNT FOR TEACHER CERTIFICATION FEES THAT THE DEPARTMENT DEPOSITS
24 IN THE GENERAL FUND.] The annual estimated balance in the account maintained by the
25 commissioner of administration under AS 37.05.142 may be used by the legislature to make
26 appropriations to the department to carry out the purposes of this section and to support the
27 activities of the Professional Teaching Practices Commission under AS 14.20.460, 14.20.470, and
28 14.20.500.

29 * Sec. 6. AS 18.50.225(d) is amended to read:

30 (d) [THE STATE REGISTRAR SHALL DEPOSIT FEES RECEIVED UNDER (A) OF

1 THIS SECTION IN THE GENERAL FUND. THE COMMISSIONER OF ADMINISTRATION
2 SHALL SEPARATELY ACCOUNT FOR MONEY DEPOSITED UNDER THIS SUBSECTION.]

3 The legislature may use the annual estimated balance of the account maintained by the
4 commissioner of administration under AS 37.05.142 to make an appropriation to the Alaska
5 children's trust fund established under AS 37.14.200.

6 * Sec. 7. AS 18.62.030 is amended to read:

7 Sec. 18.62.030. FEE. When submitting an application, an applicant shall pay a fee of
8 \$40 for a certificate valid for one year or \$75 for a certificate valid for three years. [THE
9 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR
10 CERTIFICATE OF FITNESS FEES THAT THE DEPARTMENT OF LABOR DEPOSITS IN
11 THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY
12 BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT
13 TO CARRY OUT THE PURPOSES OF THIS CHAPTER.]

14 * Sec. 8. AS 18.70.080(b) is amended to read:

15 (b) The commissioner of public safety may establish by regulation and the department
16 may charge reasonable fees for fire and life safety plan checks made to determine compliance
17 with regulations adopted under (a)(2) of this section. [THE COMMISSIONER OF
18 ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR FEES COLLECTED UNDER
19 THIS SUBSECTION THAT THE DEPARTMENT OF PUBLIC SAFETY DEPOSITS IN THE
20 GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE
21 USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO
22 CARRY OUT THE PURPOSES OF THIS CHAPTER.]

23 * Sec. 9. AS 18.70.310(d) is amended to read:

24 (d) The Department of Public Safety shall establish a fee schedule to fully compensate
25 for the costs of enforcement of, and placards provided under, this section. Fees collected under
26 this subsection shall be deposited in the general fund. [THE COMMISSIONER OF
27 ADMINISTRATION SHALL ACCOUNT SEPARATELY FOR FEES COLLECTED AND
28 DEPOSITED UNDER THIS SUBSECTION. THE ANNUAL ESTIMATED BALANCE IN THE
29 ACCOUNT MAY BE APPROPRIATED BY THE LEGISLATURE TO THE DEPARTMENT
30 OF PUBLIC SAFETY TO CARRY OUT THE PURPOSES OF THIS SECTION.]

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1 * Sec. 10. AS 19.25.200(a) is amended to read:

2 (a) An encroachment may be constructed, placed, changed, or maintained across or along
3 a highway, but only in accordance with regulations adopted by the department. An encroachment
4 may not be constructed, placed, maintained, or changed until it is authorized by a written permit
5 issued by the department, unless the department provides otherwise by regulation. The
6 department may charge a fee for a permit issued under this section. [THE COMMISSIONER
7 OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR ENCROACHMENT
8 PERMIT FEES THAT THE DEPARTMENT DEPOSITS IN THE GENERAL FUND. THE
9 ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY THE
10 LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT
11 THE PURPOSES OF THIS SECTION.]

12 * Sec. 11. AS 25.27.125(b) is amended to read:

13 (b) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
14 ACCOUNT FOR THE STATE SHARE OF PAYMENTS MADE BY OBLIGORS UNDER
15 AS 25.27.120 THAT THE AGENCY COLLECTS AND DEPOSITS IN THE GENERAL
16 FUND.] The annual estimated balance in the account maintained by the commissioner of
17 administration under AS 37.05.142 may be used by the legislature to make appropriations to
18 the Department of Health and Social Services to carry out the purposes of AS 47.10.230 -
19 47.10.260 and AS 47.25.31 - 47.25.420.

20 * Sec. 12. AS 26.05.230(b) is amended to read:

21 (b) The armory of each battalion, company, or other unit is subject to the order of the
22 adjutant general and under the charge of its armory board which shall keep in the armory all
23 property furnished by the state. Except for scout battalions organized under special authority of
24 the Secretary of the Army, a unit may not be furnished with arms or equipment until a suitable
25 armory is provided for their deposit. Subject to regulations adopted by the adjutant general, an
26 armory may be used for any reasonable and legitimate civilian activity so long as the activity
27 does not interfere with its use for military purposes. Proceeds received as rental or otherwise at
28 an armory from nonmilitary use shall be deposited in the general fund. [THE COMMISSIONER
29 OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR FACILITIES RENTAL
30 FEES THAT ARE DEPOSITED IN THE GENERAL FUND UNDER THIS SUBSECTION.]

1 THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY THE
2 LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT OF MILITARY
3 AND VETERANS' AFFAIRS TO CARRY OUT THE PURPOSES OF THIS SECTION.]

4 * Sec. 13. AS 28.10.421(f) is amended to read:

5 (f) In addition to the fees imposed under (b) and (d) of this section, the following special
6 annual registration fee is imposed upon renewal of registration for a passenger vehicle, motor
7 home, pick-up truck, or a van with special request Winter Olympics commemorative plates . .
8 . \$30; [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT
9 FOR THE FEES RECEIVED UNDER THIS SUBSECTION THAT THE DEPARTMENT
10 DEPOSITS IN THE GENERAL FUND;] the annual estimated balance in the account maintained
11 by the commissioner of administration under AS 37.05.142 may be appropriated by the
12 legislature to the Alaska amateur sports fund established under AS 05.35.150.

13 * Sec. 14. AS 33.30.031(e) is amended to read:

14 (e) The commissioner may enter into an agreement with the United States, another state,
15 a municipality of this state, or another state agency, to provide a correctional facility for the
16 custody, care, and discipline of a person held under authority of the law of that jurisdiction.
17 [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR
18 PAYMENTS RECEIVED FOR THE SERVICES PROVIDED UNDER THIS SECTION THAT
19 THE DEPARTMENT DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED
20 BALANCE IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE
21 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS
22 SECTION.]

23 * Sec. 15. AS 38.09.020(b) is amended to read:

24 (b) An applicant for a homestead entry permit shall personally stake the corners and flag
25 the boundaries of the land entered under this chapter and shall personally file with the
26 commissioner a description of the land entered. A homestead entry shall be described by aliquot
27 parts unless otherwise permitted by the commissioner. The commissioner may require the
28 applicant to establish a deposit for the costs of survey before issuing the homestead entry permit.
29 [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR
30 MONEY RECEIVED UNDER THIS SUBSECTION THAT THE COMMISSIONER DEPOSITS

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1 IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT
2 MAY BE APPROPRIATED BY THE LEGISLATURE TO CARRY OUT THE PURPOSES OF
3 THIS SECTION.]

4 * Sec. 16. AS 41.23.470(e) is amended to read:

5 (e) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
6 ACCOUNT FOR FUNDS COLLECTED UNDER THIS SECTION AND DEPOSITED IN THE
7 GENERAL FUND.] The annual estimated balance in the account maintained by the
8 commissioner of administration under AS 37.05.142 may be appropriated by the legislature
9 to the department to carry out the purposes of AS 41.23.400 - 41.23.510.

10 * Sec. 17. AS 43.50.350 is amended to read:

11 Sec. 43.50.350. DISPOSITION OF PROCEEDS. The tax collected by the department
12 shall be deposited in the general fund. [THE COMMISSIONER OF ADMINISTRATION
13 SHALL SEPARATELY ACCOUNT FOR THE TAXES THAT ARE DEPOSITED IN THE
14 GENERAL FUND UNDER THIS SECTION.] The annual estimated balance in the account
15 maintained by the commissioner of administration under AS 37.05.142 may be used by the
16 legislature to make appropriations for health care, health research, health promotion, and health
17 education programs.

18 * Sec. 18. AS 44.37.025(b) is amended to read:

19 (b) The department shall prescribe and account for recording fees and do all other things
20 necessary to maintain the recording systems established under the laws of this state. [THE
21 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR FEES
22 COLLECTED UNDER THIS SECTION THAT THE DEPARTMENT OF NATURAL
23 RESOURCES DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED
24 BALANCE IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE
25 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS
26 SECTION.]

27 * Sec. 19. AS 44.41.020(a) is amended to read:

28 (a) The Department of Public Safety shall administer functions relative to the protection
29 of life and property. The department may enter into agreements with nonprofit organizations and
30 federal and local government agencies to train personnel of those agencies in the protection of

1 life and property. The department may charge a reasonable fee for services provided under
2 a training agreement. [THE COMMISSIONER OF ADMINISTRATION SHALL
3 SEPARATELY ACCOUNT FOR TRAINING FEES RECEIVED UNDER TRAINING
4 AGREEMENTS AND THAT THE DEPARTMENT DEPOSITS IN THE GENERAL FUND.
5 THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY THE
6 LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT
7 THE PURPOSES OF THIS SECTION.]

8 * Sec. 20. AS 44.41.020(b) is amended to read:

9 (b) The department may enter into agreements with federal and local government
10 agencies to provide a statewide criminal justice information system. Reasonable fees may be
11 charged by the department to cover the costs of providing services under these agreements,
12 including maintenance of terminal hardware and network connect charges. [THE
13 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR THE
14 CRIMINAL JUSTICE INFORMATION SYSTEM FEES THAT THE DEPARTMENT OF
15 PUBLIC SAFETY DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED
16 BALANCE IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE
17 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS
18 SECTION.]

19 * Sec. 21. AS 44.41.025(b) is amended to read:

20 (b) The commissioner of public safety may establish by regulation and the Department
21 of Public Safety may charge a reasonable fee to be paid by a person requesting information from
22 the Alaska automated fingerprint system and by a person submitting fingerprints under (d) of this
23 section. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT
24 FOR FEES COLLECTED UNDER THIS SECTION THAT THE DEPARTMENT OF PUBLIC
25 SAFETY DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE
26 IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS
27 TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS SECTION.]

28 * Sec. 22. AS 44.62.175(d) is amended to read:

29 (d) The lieutenant governor shall sell individual copies of and subscriptions to the journal
30 at a price reasonably calculated to offset the cost of publication and distribution. [THE

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1 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR MONEY
2 COLLECTED UNDER THIS SUBSECTION THAT THE LIEUTENANT GOVERNOR
3 DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE
4 ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO
5 THE OFFICE OF THE LIEUTENANT GOVERNOR TO CARRY OUT THE PURPOSES OF
6 THIS SECTION.]

7 * Sec. 23. AS 46.03.032(n) is amended to read:

8 (n) State appropriations in excess of the amount required by the federal Clean Water Act,
9 as amended by P.L. 100-4, shall be accounted for separately. Repayments of principal from
10 loans from these amounts shall be deposited in the Alaska clean water fund. Payments of
11 interest from loans made from these amounts and earnings on these amounts shall be deposited
12 in the general fund. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
13 ACCOUNT FOR THE INTEREST PAYMENTS AND EARNINGS THAT THE DEPARTMENT
14 OF ENVIRONMENTAL CONSERVATION DEPOSITS IN THE GENERAL FUND.]

15 * Sec. 24. AS 46.03.375(b) is amended to read:

16 (b) The division shall establish fees applicable to certification under this section in an
17 amount necessary to cover the costs of the certification program. The fees shall be collected by
18 the division. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
19 ACCOUNT FOR FEES DEPOSITED IN THE GENERAL FUND BY THE DEPARTMENT OF
20 COMMERCE AND ECONOMIC DEVELOPMENT UNDER THIS SUBSECTION. THE
21 LEGISLATURE MAY APPROPRIATE THE ANNUAL ESTIMATED BALANCE OF THE
22 ACCOUNT TO THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
23 FOR OPERATION OF THE CERTIFICATION PROGRAM.]

24 * Sec. 25. AS 46.03.385(e) is amended to read:

25 (e) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
26 ACCOUNT FOR MONEY DEPOSITED IN THE GENERAL FUND BY THE DEPARTMENT
27 UNDER THIS SECTION.] The legislature may appropriate the annual estimated balance of the
28 account maintained by the commissioner of administration under AS 37.05.142 to the storage
29 tank assistance fund established under AS 46.03.410.

30 * Sec. 26. AS 46.03.410(a) is amended to read:

1 (a) There is established the storage tank assistance fund. It consists of money
2 appropriated to it by law. The department shall deposit earnings on money in the fund in
3 the general fund [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
4 ACCOUNT FOR EARNINGS ON MONEY IN THE FUND THAT ARE DEPOSITED IN THE
5 GENERAL FUND BY THE DEPARTMENT]. The legislature may use the estimated balance
6 in the account maintained by the commissioner of administration under AS 37.05.142 to
7 make appropriations to the fund.

8 * Sec. 27. AS 46.03.420(i) is amended to read:

9 (i) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
10 ACCOUNT FOR MONEY DEPOSITED BY THE DEPARTMENT UNDER THIS SECTION.]
11 The legislature may appropriate the annual estimated balance of the account maintained by the
12 commissioner of administration under AS 37.05.142 to the storage tank assistance fund
13 established under AS 46.03.410.

14 * Sec. 28. AS 05.15.025; AS 06.01.045; AS 08.01.065(e); AS 10.06.858(b); AS 10.15.563;
15 AS 10.20.643; AS 10.25.530(c); AS 10.35.075; AS 10.40.140(c); AS 14.07.035; AS 14.48.090(b);
16 AS 16.05.826(d); AS 16.43.105; AS 16.51.160(b); AS 18.50.330(b); AS 18.60.950; AS 19.05.046;
17 AS 21.06.260; AS 23.05.070; AS 28.05.021(b); AS 28.10.431(i); AS 28.15.271(d); AS 34.45.370(b);
18 AS 34.55.020(g); AS 36.30.730(f); AS 38.05.073(s); AS 39.30.096; AS 39.45.021; AS 41.08.025;
19 AS 41.21.030(b); AS 42.05.651(b); AS 42.06.610(c); AS 42.30.225(f); AS 43.10.037; AS 44.21.410(c);
20 AS 44.29.022(c), 44.29.220(b); AS 44.33.022, 44.33.120(c), 44.33.730(b); AS 44.88.420(b);
21 AS 45.09.409; AS 45.55.265; AS 47.10.120(d); AS 47.30.910(g); AS 47.55.020(d), 47.55.030(e); and
22 AS 47.80.150(g) are repealed.

23 * Sec. 29. This Act takes effect immediately under AS 01.10.070(c).