

HOUSE BILL NO. 415

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/12/96

Referred: State Affairs, Health, Education and Social Services, Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act streamlining the functions of state government, including authorizing the
2 commissioner of fish and game to award grants for certain resource activities;
3 allowing agents selling fish and game licenses and tags to retain certain
4 compensation; authorizing the Department of Health and Social Services to
5 award grants for certain services for developmentally delayed or disabled
6 children; relating to rabies control and administration of flour and bread
7 standards by the Department of Environmental Conservation; repealing the
8 Athletic Commission, the regulation of boxing and wrestling, the certification of
9 professional geologists, and the Water Resources Board; repealing certain filing
10 statements and bonds for enforcement and collection of certain taxes; and
11 providing for an effective date."

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

1 * **Section 1.** AS 16.05 is amended by adding a new section to read:

2 Sec. 16.05.085. GRANT AUTHORITY. The commissioner may award grants
3 for protecting, maintaining, improving, or extending fish, game, or aquatic plant
4 resources of the state, including making those resources available to the public. The
5 commissioner may adopt regulations to interpret or implement this section. In order
6 to recover all or part of the department's costs of administering the grants, the
7 commissioner may charge a fee to grant applicants and may retain up to 10 percent
8 of a grant award.

9 * **Sec. 2.** AS 16.05.390 (a) is amended to read:

10 (a) Except as provided in (e) of this section, an agent appointed by the
11 commissioner under AS 16.05.380 to sell licenses and tags is entitled to **retain**

12 (1) [RETAIN] five percent of the fee that is charged for a license or
13 tag or 25 cents for each license or tag sold, whichever is greater; and

14 (2) compensation of \$50 per year or \$1 for each license or tag sold
15 during the year, whichever is greater.

16 * **Sec. 3.** AS 16.05.390(b) is amended to read:

17 (b) Each agent appointed to sell licenses or tags under AS 16.05.380 shall, as
18 directed by the commissioner, transmit the proceeds from the sales of licenses and
19 tags, except the amount authorized to be retained under **(a)** [(a)(1)] of this section,
20 together with a report of the sales, to the commissioner for deposit in the fish and
21 game fund or the general fund.

22 * **Sec. 4.** AS 16.05.390(g) is amended to read:

23 (g) The commissioner may assess a penalty against an agent who does not
24 transmit proceeds within the time allowed under (f) of this section. The penalty is
25 equal to one and one-half percent of the amount of proceeds due. The penalty may
26 be assessed for each month or portion of a month that the proceeds are delinquent. [A
27 PENALTY UNDER THIS SUBSECTION SHALL BE WITHHELD FROM THE
28 AGENT'S COMPENSATION UNDER (a)(2) OF THIS SECTION.]

29 * **Sec. 5.** AS 43.10.170(b) is amended to read:

30 (b) The service of process shall be made by leaving a copy with the
31 commissioner of commerce and economic development. If legal action is instituted

1 against the nonresident taxpayer, the commissioner of commerce and economic
2 development shall immediately notify the nonresident by sending a copy of the process
3 by registered letter to the [POST OFFICE ADDRESS STATED IN THE AFFIDAVIT
4 ON FILE WITH THE COMMISSIONER OF REVENUE, OR, IF NO ADDRESS IS
5 STATED IN THE AFFIDAVIT, TO THE] last known address of the taxpayer.

6 * **Sec. 6.** AS 47.20 is amended by adding a new section to read:

7 Sec. 47.20.075. GRANT AUTHORITY. The department may award grants
8 for covered services to children eligible under this chapter.

9 * **Sec. 7.** AS 47.20.110(a) is amended to read:

10 (a) The department shall adopt regulations necessary to implement this chapter,
11 including regulations

12 (1) for personnel development, including preservice and in-service
13 training programs for providers of early intervention services;

14 (2) to govern resolution of intraagency and interagency disputes about
15 the provision of services under this chapter and the financial responsibility of the
16 respective parties for those services;

17 (3) that ensure that services are provided to children and their families
18 in a timely manner pending the resolution of disputes among public agencies or service
19 providers;

20 (4) providing for due process with respect to the rights of children and
21 parents who are eligible for services under this chapter; the regulations must provide
22 that during the pendency of a complaint about a change in services, the child and
23 family shall continue to receive the prior services unless the state and the family
24 otherwise agree, or, if the complaint relates to an application for initial services, the
25 child and family shall receive the services that are not in dispute; **and**

26 **(5) for the award of grants under this chapter.**

27 * **Sec. 8.** AS 03.05.070; AS 17.07.010, 17.07.020, 17.07.030, 17.07.040, 17.07.050,
28 17.07.060, 17.07.070, 17.07.080, 17.07.090, 17.07.100, and 17.07.200 are repealed.

29 * **Sec. 9.** AS 05.05.010, 05.05.020, 05.05.030, 05.05.040; AS 05.10.010, 05.10.020,
30 05.10.030, 05.10.040, 05.10.050, 05.10.060, 05.10.070, 05.10.080, 05.10.090, 05.10.100,
31 05.10.110, 05.10.120, 05.10.130, 05.10.140, 05.10.150, 05.10.160, 05.10.170; AS 08.01.010(3),

1 08.01.010(32); AS 08.02.011; AS 46.15.190, 46.15.200, 46.15.210, 46.15.220, 46.15.230, and
2 46.15.240 are repealed.

3 * **Sec. 10.** AS 16.05.390(c), 16.05.390(d); AS 43.10.160, 43.10.180, 43.10.190, and
4 43.10.200 are repealed.

5 * **Sec. 11.** TRANSITION: REGULATIONS. Notwithstanding secs. 13 and 14 of this Act,
6 the state agencies affected by this Act may proceed to adopt regulations necessary to
7 implement changes in law enacted by this Act. The regulations take effect under AS 44.62
8 (Administrative Procedure Act), but not before the respective effective date of the change in
9 law in this Act.

10 * **Sec. 12.** Sections 8 and 11 of this Act take effect immediately under AS 01.10.070(c).

11 * **Sec. 13.** Sections, 1, 6, 7, and 9 of this Act take effect July 1, 1996.

12 * **Sec. 14.** Sections 2, 3, 4, 5, and 10 of this Act take effect January 1, 1997.