

CS FOR HOUSE BILL NO. 162(RLS) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE

Amended: 5/15/03

Offered: 5/12/03

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to fees adopted by the Department of Natural Resources under**
2 **AS 44.37.025 or 44.37.027 and to business license fees; and providing for an effective**
3 **date."**

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

5 *** Section 1.** AS 37.10.050(a) is amended to read:

6 (a) A state agency may not charge a fee for the provision of state services
7 unless the fee (1) is set or otherwise authorized by statute; and (2) where a regulation
8 is necessary, is set by or provided for in a regulation that meets the standards of
9 AS 44.62.020 and 44.62.030. Unless specifically exempted by statute, a state agency
10 authorized to collect or receive fees, licenses, taxes, or other money belonging to the
11 state shall account for and remit the receipts, less fees to which the collector is entitled
12 by statute or regulation, to the Department of Revenue at least once each month. The
13 commissioner of administration shall separately account under AS 37.05.142 for
14 receipts deposited under this subsection. A fee or other charge that is set by regulation

1 may not exceed the estimated actual costs of the state agency in administering the
 2 activity or providing the service unless otherwise provided by the statute under which
 3 the regulation is adopted; however, this limitation does not apply to sale or lease of
 4 property by a state agency, [OR] fees charged by a resource agency for a designated
 5 regulatory service as defined in AS 37.10.058, **or fees adopted by the Department of**
 6 **Natural Resources under AS 44.37.025 or 44.37.027.**

7 * **Sec. 2.** AS 43.70.030(a) is amended to read:

8 (a) The [LICENSE] fee for each business **license** is **\$100** [\$25] per year,
 9 **except that the fee is \$50 if**

10 **(1) the business is a sole proprietorship; and**

11 **(2) the sole proprietor is 65 years of age or older when the sole**
 12 **proprietor applies for the license or will reach 65 years of age at any time during**
 13 **the year for which the license is issued.**

14 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 15 read:

16 TRANSITION: REGULATIONS. The Department of Natural Resources may
 17 proceed to adopt regulations to implement the changes made by sec. 1 of this Act. Those
 18 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
 19 effective date of sec. 1 of this Act.

20 * **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

21 * **Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect July 1, 2003.