

**CS FOR SENATE BILL NO. 101(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

**BY THE SENATE FINANCE COMMITTEE**

**Offered: 4/11/16**

**Referred: Rules**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to merchandise sold and certain fees charged or collected by the**  
2 **Department of Natural Resources."**

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

4 **\* Section 1.** AS 37.05.146(c)(56) is amended to read:

5 (56) fees and other charges received by the Department of Natural  
6 Resources under AS 41.21.026 [FOR THE USE OF STATE PARK SYSTEM  
7 FACILITIES];

8 **\* Sec. 2.** AS 37.10.050(a) is amended to read:

9 (a) A state agency may not charge a fee for the provision of state services  
10 unless the fee (1) is set or otherwise authorized by statute; and (2) where a regulation  
11 is necessary, is set by or provided for in a regulation that meets the standards of  
12 AS 44.62.020 and 44.62.030. Unless specifically exempted by statute, a state agency  
13 authorized to collect or receive fees, licenses, taxes, or other money belonging to the  
14 state shall account for and remit the receipts, less fees to which the collector is entitled

1 by statute or regulation, to the Department of Revenue at least once each month. The  
 2 commissioner of administration shall separately account under AS 37.05.142 for  
 3 receipts deposited under this subsection. A fee or other charge that is set by regulation  
 4 may not exceed the estimated actual costs of the state agency in administering the  
 5 activity or providing the service unless otherwise provided by the statute under which  
 6 the regulation is adopted; however, this limitation does not apply to sale or lease of  
 7 property by a state agency, fees charged by a resource agency for a designated  
 8 regulatory service as defined in AS 37.10.058, fees adopted by the Department of  
 9 Natural Resources under AS 41.21.026(f), AS 44.37.025, and [OR] 44.37.027, or  
 10 fees, rents, tolls, and other charges established or levied by the Department of  
 11 Transportation and Public Facilities for the use of the Knik Arm bridge and  
 12 appurtenant facilities.

13 \* **Sec. 3.** AS 41.21.026(a) is amended to read:

14 (a) Notwithstanding (b) of this section, the department may charge or collect a  
 15 fee [IN A PARK UNIT] for

- 16 (1) rental of public use cabins or other overnight lodgings;
- 17 (2) overnight use of a developed campsite;
- 18 (3) special park use permits;
- 19 (4) competitive and exclusive commercial use permits;
- 20 (5) noncompetitive and nonexclusive commercial use permits;
- 21 (6) use of a sewage holding tank dump station;
- 22 (7) admission to or guided tours of visitor centers and historic sites;
- 23 (8) use of an improved boat ramp in a park facility developed  
 24 principally for boat launching;
- 25 (9) sale of firewood;
- 26 (10) [SALE OF MERCHANDISE FOR INFORMATIONAL OR  
 27 EDUCATIONAL PURPOSES RELATED TO PUBLIC USE AND  
 28 UNDERSTANDING OF PARKS, INCLUDING MAPS, PLANS, AND OTHER  
 29 GRAPHIC MATERIALS;
- 30 (11)] use of a developed facility that has developed parking and rest  
 31 rooms; and

1                    (11) [(12)] presentation or attendance at programs related to natural or  
2                    cultural history, outdoor skills or education, or other topics concerned with public use,  
3                    enjoyment, or understanding of parks.

4                    \* **Sec. 4.** AS 41.21.026 is amended by adding a new subsection to read:

5                    (f) In addition to the activities, services, and products for which the  
6                    department may charge or collect a fee under (a) of this section, the department may  
7                    sell informational, educational, or promotional merchandise. The department shall  
8                    price merchandise sold under this section in a manner that ensures a reasonable  
9                    monetary return to the state. To the extent practicable, the department shall sell only  
10                    merchandise produced or manufactured, including printing, screen printing, and  
11                    embroidery, in the United States that, subject to AS 36.30, is procured from either an  
12                    Alaska bidder or a person that employs prisoners under AS 33.30.191(b).