

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 263

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the financial administration of  
7 state government; the provision of and charges for  
8 state services; accounting for and disposition of  
9 receipts of state agencies; and providing for an  
10 effective date."

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

12 \* Section 1. AS 01.10.060 is amended by adding a new paragraph to read:

13 (15) "program receipts" means fees, charges, income earned  
14 on assets, and other state money received by a state agency in connec-  
15 tion with the performance of its functions; the following program  
16 receipts are not general fund program receipts:

17 (A) federal receipts;

18 (B) earnings on the following intergovernmental ser-  
19 vice funds:

20 (i) highway working capital fund (AS 44.74.010);

21 (ii) correctional industries fund (AS 33.32.020);

22 (C) earnings on the following enterprise funds:

23 (i) loan funds;

24 (ii) international airport revenue fund (AS 37.-  
25 15.430);

26 (iii) funds managed by the Alaska Housing Finance  
27 Corporation (AS 18.56.020), the Alaska Industrial Develop-  
28 ment Authority (AS 44.88.020), or the Municipal Bond Bank  
29 Authority (AS 44.85.020);

- 1 (D) University of Alaska receipts (AS 14.40.490);  
2 (E) earnings on the following special revenue funds:  
3 (i) fish and game fund (AS 16.05.100);  
4 (ii) school fund (AS 43.50.140);  
5 (iii) training and building fund (AS 23.20.130);  
6 (F) earnings on the following trust funds:  
7 (i) retirement funds (AS 14.25, AS 22.25, AS 26.-  
8 05.222, AS 39.35);  
9 (ii) permanent fund (art. IX, sec. 15, Alaska  
10 Constitution);  
11 (iii) public school fund (AS 37.14.110);  
12 (iv) second injury fund (AS 23.30.040);  
13 (v) fishermen's fund (AS 23.35.060).

14 \* Sec. 2. AS 02.15.090(a) is amended to read:

15 (a) State operation. In operating an airport or air navigation  
16 facility owned or controlled by the state, the department may enter  
17 into contracts, leases and other arrangements covering periods not  
18 exceeding 55 years with a person or municipality or the United States,  
19 granting the privilege of using or improving an airport or air naviga-  
20 tion facility or a portion of it or space in it for commercial, [OR]  
21 governmental, or other purposes; or conferring the privilege of sup-  
22 plying goods, commodities, services or facilities at an airport or air  
23 navigation facility. The department may establish the terms and con-  
24 ditions and fix the charges, rentals, and fees for the privileges or  
25 services, which are reasonable and uniform for the same class of  
26 privilege or service. These terms, conditions, charges, rentals and  
27 fees shall be established with due regard to the property and improve-  
28 ments used and the expense of operation to the state. In no case  
29 shall be public be deprived of its rightful, equal and uniform use of

1 the airport, air navigation facility, or portion thereof.

2 \* Sec. 3. AS 02.15.090 is amended by adding a new subsection to read:

3 (c) The commissioner of administration shall separately account  
4 for charges, rentals, and fees collected under this section and depos-  
5 ited in the general fund. The annual estimated balance in the account  
6 may be used by the legislature to make appropriations to the depart-  
7 ment to carry out the purposes of this chapter.

8 \* Sec. 4. AS 02.15.102 is amended to read:

9 Sec. 02.15.102. USE OF AIRPORTS FOR UTILITIES. A utility facil-  
10 ity may be constructed, placed, or maintained across, along, over,  
11 under, or within a state airport only in accordance with regulations  
12 adopted or procedures prescribed by the department and only if au-  
13 thorized by a written permit issued by the department. The department  
14 may charge a fee for a permit issued under this section. The commis-  
15 sioner of administration shall separately account for utility permit  
16 fees that the department deposits in the general fund. The annual  
17 estimated balance in the account may be used by the legislature to  
18 make appropriations to the department to carry out the purposes of  
19 this chapter.

20 \* Sec. 5. AS 02.15.106 is amended to read:

21 Sec. 02.15.106. ENCROACHMENT PERMITS. An encroachment may be  
22 constructed, placed, changed, or maintained across or within an air-  
23 port, but only in accordance with regulations or procedures adopted by  
24 the department. An encroachment may not be constructed, placed,  
25 maintained, or changed until it is authorized by a written permit  
26 issued by the department, unless the department provides otherwise by  
27 regulation. The department may charge a fee for a permit issued under  
28 this section. The commissioner of administration shall separately  
29 account for encroachment permit fees that the department deposits in

1 the general fund. The annual estimated balance in the account may be  
2 used by the legislature to make appropriations to the department to  
3 carry out the purposes of this chapter.

4 \* Sec. 6. AS 03.10 is amended by adding a new section to read:

5 Sec. 03.10.045. ADMINISTRATIVE COST. The department may use  
6 money in the fund to carry out the administration of this chapter.

7 \* Sec. 7. AS 03.12 is amended by adding a new section to read:

8 Sec. 03.12.045. ADMINISTRATIVE COST. The department may use  
9 money in the fund to carry out the administration of this chapter.

10 \* Sec. 8. AS 04.11.270(b) is amended by adding a new paragraph to read:

11 (3) The commissioner of administration shall separately  
12 account for all application fees collected under this section that the  
13 department deposits in the general fund. The annual estimated balance  
14 in the account may be used by the legislature to make appropriations  
15 to the department to carry out the purposes of AS 04.06.

16 \* Sec. 9. AS 09.25 is amended by adding a new section to read:

17 Sec. 09.25.115. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
18 commissioner of administration shall separately account for all fees  
19 collected under AS 09.25.110 and 09.25.120 that the various state  
20 agencies deposit in the general fund. The annual estimated balance in  
21 the accounts may be used by the legislature to make appropriations to  
22 the agencies to carry out their respective functions.

23 \* Sec. 10. AS 12.55.105(a) is amended to read:

24 Sec. 12.55.105. PROBATION AND URINALYSIS FEES [FEE]. (a) A  
25 court granting probation shall require a periodic probation fee to be  
26 paid to the Department of Corrections as a condition of probation. In  
27 addition, the department may charge a fee for any urinalysis that may  
28 be required. The fee amounts [AMOUNT] shall be established by regu-  
29 lation adopted by the commissioner of corrections.

1 \* Sec. 11. AS 14.56.030(10) is amended to read:

2 (10) establishing and charging fees for reproduction, [OR]  
3 printing, and handling costs, [AND] for mailing and distributing state  
4 publications and research data, and for other services authorized by  
5 this chapter.

6 \* Sec. 12. AS 14.56.035 is amended to read:

7 Sec. 14.56.035. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
8 commissioner of administration shall separately account for [PUBLICA-  
9 TION AND DISTRIBUTION] fees received under AS 14.56.030(10) and that  
10 the department deposits in the general fund. The annual estimated  
11 balance in the account may be used by the legislature to make appro-  
12 priations to the department to carry out the purposes of AS 14.56.030.

13 \* Sec. 13. AS 14.57.010 is amended by adding a new subsection to read:

14 (c) The department may establish by regulation, and collect,  
15 reasonable user fees and other fees for services provided by the  
16 department under AS 14.57.

17 \* Sec. 14. AS 14.57.015 is amended to read:

18 Sec. 14.57.015. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
19 commissioner of administration shall separately account for each  
20 endowment, [OR] grant, or gift from a private donor received under  
21 AS 14.57.010(b)(4), and for fees collected under AS 14.57.010(c), and  
22 deposited by the department in the general fund. The annual estimated  
23 balance in the account may be used by the legislature to make appro-  
24 priations to the department to carry out the purposes of AS 14.57.010.

25 \* Sec. 15. AS 15.62 is amended by adding a new section to read:

26 Sec. 15.62.020. VOTER REGISTRATION AND ELECTION MANAGEMENT  
27 SYSTEM RECEIPTS. (a) The director may sell voter registration and  
28 election management system data processing software. Receipts gen-  
29 erated through any such sales must be deposited in the general fund.

1           (b) The commissioner of administration shall separately account  
2 for all money collected through sales under (a) of this section which  
3 the department deposits in the general fund. The annual estimated  
4 balance in the account may be used by the legislature to make appro-  
5 priations to the division of elections to carry out its responsibil-  
6 ities in connection with the voter registration and election manage-  
7 ment system.

8 \* Sec. 16. AS 16.05.050 is amended by adding a new paragraph to read:

9           (17) to operate state housing for employees and contractors  
10 in support of the department's responsibilities and to charge rent  
11 that is consistent with any applicable collective bargaining agree-  
12 ment; rent received from tenants must be deposited in the general  
13 fund.

14 \* Sec. 17. AS 16.05.053 is amended to read:

15           Sec. 16.05.053. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
16 commissioner of administration shall separately account for money  
17 collected under AS 16.05.050(4), (15), [AND] 16, and (17) and that the  
18 department deposits in the general fund. The annual estimated balance  
19 in each account may be used by the legislature to make appropriations  
20 to the department to carry out the activities for which fees have been  
21 charged or for which the money was collected.

22 \* Sec. 18. AS 16.10.310(a)(3) is amended to read:

23           (3) adopt regulations necessary to carry out the provisions  
24 of AS 16.10.300 -- 16.10.370, including regulations to establish  
25 reasonable fees for services provided [ITS FUNCTIONS];

26 \* Sec. 19. AS 16.10.310(a) is amended by adding a new paragraph to  
27 read:

28           (9) charge and collect the fees established under this  
29 subsection.

1 \* Sec. 20. AS 16.10 is amended by adding a new section to read:

2           Sec. 16.10.312. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
3 commissioner of administration shall separately account for all fees  
4 and collection charges that the department deposits in the general  
5 fund. The annual estimated balance in the account may be used by the  
6 legislature to make appropriations to the department to carry out the  
7 purposes of AS 16.10.300 -- 16.10.320.

8 \* Sec. 21. AS 16.10.320 is amended by adding a new subsection to read:

9           (j) All principal and interest payments, and any money charge-  
10 able to principal or interest which is collected through liquidation  
11 by foreclosure or other process on loans made under AS 16.10.300 --  
12 16.10.370, shall be paid into the commercial fishing revolving loan  
13 fund.

14 \* Sec. 22. AS 16.10 is amended by adding a new section to read:

15           Sec. 16.10.345. ADMINISTRATIVE COST. The department may use  
16 money in the fund to carry out the administration of AS 16.10.300 --  
17 16.10.370.

18 \* Sec. 23. AS 16.10.505 is amended to read:

19           Sec. 16.10.505. FISHERIES ENHANCEMENT REVOLVING LOAN FUND.  
20 There is created within the Department of Commerce and Economic Devel-  
21 opment a revolving fund to be known as the fisheries enhancement  
22 revolving loan fund. The fund shall be used to carry out the purposes  
23 of AS 16.10.500 -- 16.10.560 and for no other purpose. All principal  
24 and interest payments, and any money chargeable to principal or inter-  
25 est which is collected through liquidation by foreclosure or other  
26 process on loans made under AS 16.10.500 -- 16.10.620, shall be paid  
27 into the fisheries enhancement revolving loan fund.

28 \* Sec. 24. AS 16.10.510(4) is amended to read:

29           (4) adopt regulations necessary to carry out the provisions

1 of AS 16.10.500 -- 16.10.560, including regulations to establish  
2 reasonable fees for services provided [HIS FUNCTIONS];

3 \* Sec. 25. AS 16.10.510 is amended by adding a new paragraph to read:

4 (11) charge and collect the fees established under this  
5 section.

6 \* Sec. 26. AS 16.10 is amended by adding new sections to read:

7 Sec. 16.10.512. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
8 commissioner of administration shall separately account for all fees  
9 and collection charges that the department deposits in the general  
10 fund. The annual estimated balance in the account may be used by the  
11 legislature to make appropriations to the department to carry out the  
12 purposes of AS 16.10.500 -- 16.10.620.

13 Sec. 16.10.515. ADMINISTRATIVE COST. The department may use  
14 money in the fund to carry out the administration of AS 16.10.500 --  
15 16.10.620.

16 \* Sec. 27. AS 18.20.030 is amended to read:

17 Sec. 18.20.030. APPLICATION AND FEES. Application for a license  
18 shall be made to the department upon a form provided by it, and shall  
19 contain the information the department requires, which may include  
20 affirmative evidence of ability to comply with the reasonable stan-  
21 dards and regulations adopted under AS 18.20.060 -- 18.20.080. Each  
22 application for a license shall be accompanied by a license fee as  
23 established by the department by regulation [OF \$10]. The department  
24 shall manage [DEPOSIT] all fees received in accordance with AS 44.29.-  
25 022 [THE STATE TREASURY].

26 \* Sec. 28. AS 18.20.040 is amended to read:

27 Sec. 18.20.040. ISSUANCE AND RENEWAL OF LICENSE AND POSTING.  
28 Upon receipt of an application for license and the license fee, the  
29 department shall issue a license if the applicant meets the

1 requirements established under AS 18.20.060 -- 18.20.080. If the  
2 applicant does not meet the requirements established under AS 18.20.-  
3 060 -- 18.20.080 but makes continued efforts to comply with them, the  
4 department may grant a temporary or provisional license for a reason-  
5 able period of time. A license, unless suspended or revoked, is  
6 renewable annually [WITHOUT CHARGE] upon filing by the licensee, and  
7 approval by the department of an annual report on the uniform date and  
8 containing the information in the form the department prescribes by  
9 regulation. Each license issued is for the premises and person or  
10 governmental unit named in the application and is not transferable or  
11 assignable except with the written approval of the department. Li-  
12 censes shall be posted in a conspicuous place on the licensed prem-  
13 ises.

14 \* Sec. 29. AS 18.65.410 is amended to read:

15 Sec. 18.65.410. APPLICATIONS. Application for a license as a  
16 security guard must be made on forms provided by the commissioner.  
17 The application must require the furnishing of information reasonably  
18 required by the commissioner to carry out the provisions of AS 18.65.-  
19 400 -- 18.65.490, including classifiable fingerprints to enable the  
20 search of criminal indices for evidence of a prior criminal record.  
21 The application must be accompanied by a nonrefundable application fee  
22 in an amount set by the department by regulation [OF \$25] for a secu-  
23 rity guard and [\$200] for a security guard agency.

24 \* Sec. 30. AS 18.65 is amended by adding a new section to read:

25 Sec. 18.65.415. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
26 commissioner of administration shall separately account for fees  
27 collected under AS 18.65.410 and 18.65.430 that the Department of  
28 Public Safety deposits in the general fund. The annual estimated  
29 balance in the account may be used by the legislature to make

1 appropriations to the department to carry out the purposes of AS 18.-  
2 65.400 -- 18.65.490.

3 \* Sec. 31. AS 18.65.430 is amended to read:

4 Sec. 18.65.430. DURATION OF LICENSE. A security guard license  
5 issued under AS 18.65.400 -- 18.65.490 is valid for a period of two  
6 years and may be renewed for additional two-year terms. A renewal fee  
7 set by the department by regulation [OF \$25] must be paid for each  
8 renewal.

9 \* Sec. 32. AS 19.25.010 is amended to read:

10 Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES. A utility  
11 facility may be constructed, placed, or maintained across, along,  
12 over, under or within a state right-of-way only in accordance with  
13 regulations prescribed by the department and if authorized by a writ-  
14 ten permit issued by the department. The department may charge a fee  
15 for a permit issued under this section. The commissioner of adminis-  
16 tration shall separately account for utility permit fees that the  
17 department deposits in the general fund. The annual estimated balance  
18 in the account may be used by the legislature to make appropriations  
19 to the department to carry out the purposes of this chapter.

20 \* Sec. 33. AS 19.60.030 is amended to read:

21 Sec. 19.60.030. REGULATIONS AND PERMITS. The department may  
22 adopt [RULES AND] regulations governing the use of ferry terminal  
23 facilities by the public which it considers necessary and proper in  
24 the public interest. The department may charge a fee for the use of  
25 ferry terminal facilities authorized under this section, whether the  
26 use is under a permit or otherwise, and whether it is by one or more  
27 individuals. The commissioner of administration shall separately  
28 account for permit fees and use fees that the department deposits in  
29 the general fund. The annual estimated balance in the account may be

1 used by the legislature to make appropriations to the department to  
2 carry out the purposes of this chapter.

3 \* Sec. 34. AS 26.15.030(a) is amended to read:

4 (a) The Department of Commerce and Economic Development shall  
5 formulate general policies and adopt regulations, including regula-  
6 tions to establish reasonable fees for services provided.

7 \* Sec. 35. AS 26.15.030(c) is amended by adding a new paragraph to  
8 read:

9 (8) charge and collect the fees established under this  
10 section.

11 \* Sec. 36. AS 26.15 is amended by adding a new section to read:

12 Sec. 26.15.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
13 commissioner of administration shall separately account for all fees  
14 and collection charges that the Department of Commerce and Economic  
15 Development deposits in the general fund. The annual estimated bal-  
16 ance in the account may be used by the legislature to make appropria-  
17 tions to that department to carry out the purposes of this chapter.

18 \* Sec. 37. AS 26.15.040(d) is amended to read:

19 (d) Money loaned shall be delivered to the borrower in the form  
20 of a warrant drawn on the treasury, vouchered in the manner prescribed  
21 for state disbursing officers, and charged against the Alaska World  
22 War II veterans' revolving fund. Each voucher shall be approved by  
23 the commissioner of commerce and economic development or any bonded  
24 deputy authorized to act as a certifying officer. Upon repayment of  
25 loans by installments, or otherwise, in accordance with the prescribed  
26 terms, or upon liquidation by foreclosure or other process, or upon  
27 receipt of interest [OR OTHER REVENUE], the money so received shall be  
28 turned over to the commissioner of revenue for deposit in the Alaska  
29 World War II veterans' revolving fund.

1 \* Sec. 38. AS 26.15 is amended by adding a new section to read:

2 Sec. 26.15.125. ADMINISTRATIVE COST. The Department of Commerce  
3 and Economic Development may use money in the fund to carry out the  
4 administration of this chapter.

5 \* Sec. 39. AS 27.09.010(b) is amended to read:

6 (b) The mining loan fund is a revolving fund consisting of  
7 appropriations made to the fund by the legislature, [AND] repayments  
8 of principal and interest, and any money chargeable to principal or  
9 interest which is collected through liquidation by foreclosure or  
10 other process, on loans made from the fund. Money appropriated to or  
11 repaid into the fund does not lapse under AS 37.25.010.

12 \* Sec. 40. AS 27.09.050 is amended to read:

13 Sec. 27.09.050. REGULATIONS. The department may adopt regula-  
14 tions necessary to carry out the provisions of this chapter, including  
15 regulations to establish reasonable fees for services provided [IN  
16 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62) TO ADMIN-  
17 ISTER THIS CHAPTER]. Regulations adopted under this section shall be  
18 prepared after consultation with the Department of Natural Resources  
19 or after consultation with a person who, in the opinion of the commis-  
20 sioner of commerce and economic development or a designee, has broad  
21 experience in and is highly qualified in advanced mineral exploration,  
22 development, and mining.

23 \* Sec. 41. AS 27.09 is amended by adding new sections to read:

24 Sec. 27.09.052. FEES. The department may charge and collect  
25 fees established under AS 27.09.050.

26 Sec. 27.09.055. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
27 commissioner of administration shall separately account for all fees  
28 and collection charges that the department deposits in the general  
29 fund. The annual estimated balance in the account may be used by the

1 legislature to make appropriations to the department to carry out the  
2 purposes of this chapter.

3 \* Sec. 42. AS 33.30.131 is amended by adding a new subsection to read:

4 (e) The commissioner of administration shall separately account  
5 for prisoner earnings collected under (b)(1) and (3) of this section  
6 and deposited in the general fund. The annual estimated balance in  
7 the account may be used by the legislature to make appropriations to  
8 the department to carry out the provisions of this section.

9 \* Sec. 43. AS 35.10.210 is amended to read:

10 Sec. 35.10.210. USE OF PUBLIC FACILITIES FOR UTILITIES. A  
11 utility facility may be constructed, placed, or maintained across,  
12 along, over, under, or within a state public facility only in accor-  
13 dance with regulations adopted or procedures prescribed by the depart-  
14 ment and only if authorized by a written permit issued by the depart-  
15 ment. The department may charge a fee for a permit issued under this  
16 section. The commissioner of administration shall separately account  
17 for utility permit fees that the department deposits in the general  
18 fund. The annual estimated balance in the account may be used by the  
19 legislature to make appropriations to the department to carry out the  
20 purposes of this chapter.

21 \* Sec. 44. AS 35.10.230 is amended to read:

22 Sec. 35.10.230. ENCROACHMENT PERMITS. An encroachment may be  
23 constructed, placed, changed, or maintained across or within a public  
24 facility, but only in accordance with regulations or procedures adopt-  
25 ed by the department. An encroachment may not be constructed, placed,  
26 maintained, or changed until it is authorized by a written permit  
27 issued by the department, unless the department provides otherwise by  
28 regulation. The department may charge a fee for a permit issued under  
29 this section. The commissioner of administration shall separately

1 account for encroachment permit fees that the department deposits in  
2 the general fund. The annual estimated balance in the account may be  
3 used by the legislature to make appropriations to the department to  
4 carry out the purposes of this chapter.

5 \* Sec. 45. AS 38.05.035 is amended by adding a new subsection to read:

6 (g) The commissioner of administration shall separately account  
7 for all fees collected under (b)(2), (3), (5), (7), and (f) of this  
8 section that the department deposits in the general fund. The annual  
9 estimated balance in the account may be used by the legislature to  
10 make appropriations to the department to carry out the purposes of  
11 (b)(2), (3), (5), (7), and (f) of this section.

12 \* Sec. 46. AS 38.05.068 is amended by adding a new subsection to read:

13 (e) The commissioner of administration shall separately account  
14 for all fees collected under this section that the department deposits  
15 in the general fund. The annual estimated balance in the account may  
16 be used by the legislature to make appropriations to the department to  
17 carry out the purposes of this section.

18 \* Sec. 47. AS 38.05.070 is amended by adding a new subsection to read:

19 (d) The commissioner of administration shall separately account  
20 for all fees collected under this section that the department deposits  
21 in the general fund. The annual estimated balance in the account may  
22 be used by the legislature to make appropriations to the department to  
23 carry out the purposes of this section.

24 \* Sec. 48. AS 38.05.082 is amended by adding a new subsection to read:

25 (f) The commissioner of administration shall separately account  
26 for all fees collected under this section that the department deposits  
27 in the general fund. The annual estimated balance in the account may  
28 be used by the legislature to make appropriations to the department to  
29 carry out the purposes of this section.

1 \* Sec. 49. AS 38.05.102 is amended to read:

2           Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold  
3           created under AS 38.05.070 -- 38.05.105 is offered for sale or long-  
4           term lease at the termination of the existing leasehold, the director  
5           may, upon a finding that it is in the best interest of the state,  
6           allow the holder in good standing of that leasehold to purchase or  
7           lease the land for its appraised fair market value at the time of the  
8           sale or long-term lease. The commissioner of administration shall  
9           separately account for all fees collected under this section that the  
10           department deposits in the general fund. The annual estimated balance  
11           in the account may be used by the legislature to make appropriations  
12           to the department to carry out the purposes of this section.

13 \* Sec. 50. AS 38.05.120 is amended by adding a new subsection to read:

14           (b) The commissioner of administration shall separately account  
15           for all money collected under this section that the Department of  
16           Natural Resources deposits in the general fund. The annual estimated  
17           balance in the account may be used by the legislature to make appro-  
18           priations to the department to carry out the purposes of this section  
19           and AS 38.05.110, except with regard to timber.

20 \* Sec. 51. AS 38.35.140(b) is amended to read:

21           (b) The lessee shall reimburse the state for all reasonable  
22           costs incurred in processing an application filed under AS 38.35.050  
23           and in monitoring the construction of the pipeline on the right-of-  
24           way. The commissioner of administration shall separately account for  
25           money received under this section [SUBSECTION] that the Department of  
26           Natural Resources deposits in the general fund. The annual estimated  
27           balance in the account may be used by the legislature to make appro-  
28           priations to the department to carry out the purposes of AS 38.35  
29           [THIS SECTION].

1 \* Sec. 52. AS 38.95.240(b) is amended to read:

2 (b) If it is determined that the plaintiff is entitled to the  
3 property, the department shall deliver the property to the plaintiff.  
4 The rents, profits, interest, or dividends that accrue to the state  
5 during its possession of the property are the property of the state  
6 and may not be recovered. The commissioner of administration shall  
7 separately account for all fees collected under this subsection that  
8 the department deposits in the general fund. The annual estimated  
9 balance in the account may be used by the legislature to make appro-  
10 priations to the department to carry out the purposes of AS 38.95.230.

11 \* Sec. 53. AS 38.95.250 is amended to read:

12 Sec. 38.95.250. PROCEEDS OF SALE OR REDEMPTION. The department  
13 shall deposit the proceeds of real property sold under AS 38.95.-  
14 230(a)(1) less the expenses of sale, including attorney fees and ap-  
15 praisal and publication costs in an escheated real property trust  
16 account. The department shall maintain the proceeds in the account  
17 for a period of at least seven years after the date of the judgment of  
18 escheat. The department may use money in the trust account to pay  
19 claims made under AS 38.95.240. The commissioner of administration  
20 shall separately account for all fees collected under this subsection  
21 that the department deposits in the general fund. The annual estimat-  
22 ed balance in the account may be used by the legislature to make  
23 appropriations to the department to carry out the purposes of AS 38.-  
24 95.230.

25 \* Sec. 54. AS 39.25.050 is amended to read:

26 Sec. 39.25.050. POWERS AND DUTIES. The director of personnel  
27 shall direct and supervise the administrative and technical activities  
28 of the division of personnel. In addition to the other duties imposed  
29 on the director, the director shall

- 1                   (1) administer this chapter and the personnel rules;
- 2                   (2) encourage and exercise leadership in the development of
- 3 effective personnel administration in the state government;
- 4                   (3) develop, in cooperation with appointing authorities and
- 5 others, programs for the improvement of employee effectiveness and
- 6 morale;
- 7                   (4) attend meetings of the personnel board and serve as
- 8 secretary for the board;
- 9                   (5) establish and maintain a roster of employees subject to
- 10 this chapter;
- 11                   (6) prepare the rules, not inconsistent with this chapter,
- 12 which are required to implement and administer this chapter;
- 13                   (7) perform other lawful acts which the director considers
- 14 necessary or desirable to carry out the purposes of this chapter;
- 15                   (8) contract with municipalities, private organizations,
- 16 and other persons to provide research or other services for them and
- 17 charge a fee for doing so.

18 \* Sec. 55. AS 41.21 is amended by adding a new section to article 1 to

19 read:

- 20                   Sec. 41.21.050. FEES FOR THE USE OF PARKS AND RECREATION AREAS.
- 21                   (a) The commissioner may, by regulation, establish a fee schedule for
- 22 the use of state parks and recreation areas. The commissioner may
- 23 also, by regulation, establish a procedure for the collection of the
- 24 fees.
- 25                   (b) The commissioner of administration shall separately account
- 26 for all fees collected under (a) of this section that the department
- 27 deposits in the general fund. The annual estimated balance in the
- 28 account may be used by the legislature to make appropriations to the
- 29 department to carry out the purposes of this chapter.

1 \* Sec. 56. AS 41.35.045 is amended by adding a new subsection to read:

2 (c) The commissioner of administration shall separately account  
3 for all fees collected under this section that the department deposits  
4 in the general fund. The annual estimated balance in the account may  
5 be used by the legislature to make appropriations to the department to  
6 carry out the purposes of AS 41.35.

7 \* Sec. 57. AS 44.21 is amended by adding a new section to read:

8 Sec. 44.21.070. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
9 commissioner of administration shall separately account for all fees  
10 collected under the various statutes authorizing Department of Admin-  
11 istration fees that the department deposits in the general fund. The  
12 annual estimated balance in the accounts may be used by the legisla-  
13 ture to make appropriations to the department to carry out its func-  
14 tions.

15 \* Sec. 58. AS 44.23 is amended by adding a new section to read:

16 Sec. 44.23.025. DEPARTMENT HOUSING. The Department of Law may  
17 operate state housing in support of its statutory responsibilities and  
18 may charge rent consistent with any applicable collective bargaining  
19 agreement. The commissioner of administration shall separately ac-  
20 count for housing program receipts that the Department of Law deposits  
21 in the general fund. The annual estimated balance in the account may  
22 be used by the legislature to make appropriations to the department to  
23 carry out the housing program.

24 \* Sec. 59. AS 44.33.245(a) is amended to read:

25 (a) The department may

26 (1) make loans for the construction, renovation, and equip-  
27 ping of child care facilities, including private nonprofit child care  
28 facilities;

29 (2) adopt regulations necessary to carry out the provisions

1 of AS 44.33.240 -- 44.33.275, including regulations to establish  
2 reasonable fees for services provided; and

3 (3) charge and collect the fees established under this  
4 subsection.

5 \* Sec. 60. AS 44.33 is amended by adding new sections to read:

6 Sec. 44.33.247. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
7 commissioner of administration shall separately account for all fees  
8 and collection charges that the department deposits in the general  
9 fund. The annual estimated balance in the account may be used by the  
10 legislature to make appropriations to the department to carry out the  
11 purposes of AS 44.33.240 -- 44.33.275.

12 Sec. 44.33.249. ADMINISTRATIVE COST. The department may use  
13 money in the child care facility revolving loan fund to carry out the  
14 administration of AS 44.33.240 -- 44.33.275.

15 \* Sec. 61. AS 44.33.255(d) is amended to read:

16 (d) All principal and interest payments, and any money charge-  
17 able to principal or interest which is collected through liquidation  
18 by foreclosure or other process on loans made under AS 44.33.240 --  
19 44.33.275, shall be paid into the child care facility revolving loan  
20 fund.

21 \* Sec. 62. AS 44.33 is amended by adding a new section to read:

22 Sec. 44.33.615. ADMINISTRATIVE COST. The department may use  
23 money in the fund to carry out the administration of AS 44.33.600 --  
24 44.33.630.

25 \* Sec. 63. AS 44.41.020 is amended by adding new subsections to read:

26 (c) The Department of Public Safety may enter into agreements  
27 with federal agencies, state or local government agencies, private  
28 nonprofit agencies, or individuals to provide forensic laboratory  
29 services. Reasonable fees may be charged by the department to cover

1 the costs of providing services under these agreements, including  
2 personnel costs necessary to perform these services, maintenance or  
3 replacement of equipment needed to perform these services, and the  
4 cost of supplies used in performing these services. The commissioner  
5 of administration shall separately account for the forensic laboratory  
6 fees that the Department of Public Safety deposits in the general  
7 fund. The annual estimated balance in the account may be used by the  
8 legislature to make appropriations to the department to carry out the  
9 purposes of this subsection.

10 (d) The Department of Public Safety may operate state housing in  
11 support of the department's statutory responsibilities and charge rent  
12 consistent with any applicable collective bargaining agreement. Rent  
13 received from tenants must be deposited in the general fund. The  
14 commissioner of administration shall separately account for rent  
15 received under the housing program. The annual estimated balance in  
16 the account may be used by the legislature to make appropriations to  
17 the Department of Public Safety to carry out the residential housing  
18 program.

19 \* Sec. 64. AS 44.41.025 is amended to read:

20 Sec. 44.41.025. FEES FOR CRIMINAL HISTORY RECORD AND FINGERPRINT  
21 INFORMATION. (a) The commissioner of public safety may establish by  
22 regulation and the Department of Public Safety may charge a reasonable  
23 fee to be paid by a person requesting information from the Alaska  
24 automated fingerprint system. The commissioner of administration  
25 shall separately account for fees collected under this subsection that  
26 the Department of Public Safety deposits in the general fund. The  
27 annual estimated balance in the account may be used by the legislature  
28 to make appropriations to the department to carry out the purposes of  
29 this subsection [SECTION].

1           (b) The commissioner of public safety may establish by regu-  
2           lation and the Department of Public Safety may charge a reasonable fee  
3           to be paid by a person requesting a criminal history record check or a  
4           copy of his or her criminal history record from confidential files  
5           maintained by the department. The commissioner of administration  
6           shall separately account for fees collected under this subsection that  
7           the Department of Public Safety deposits in the general fund. The  
8           annual estimated balance in the account may be used by the legislature  
9           to make appropriations to the department to carry out the purposes of  
10           this subsection.

11 \* Sec. 65. AS 44.42.020(b) is amended by adding new paragraphs to read:

12           (4) operate state housing in support of the department's  
13           statutory responsibilities and charge rent that is consistent with any  
14           applicable collective bargaining agreement;

15           (5) charge reasonable fees to cover the costs of issuing  
16           easements, licenses, and permits and to cover the costs of reproduc-  
17           tion, printing, mailing, and distribution of contract and bid docu-  
18           ments and design and construction standards manuals.

19 \* Sec. 66. AS 44.42 is amended by adding a new section to read:

20           Sec. 44.42.026. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
21           commissioner of administration shall separately account for rent  
22           received by the Department of Transportation and Public Facilities  
23           under AS 44.42.020(b)(4) and (5) and deposited in the general fund.  
24           The annual estimated balance in the accounts may be used by the legis-  
25           lature to make appropriations to the department to carry out its  
26           functions under AS 44.42.020.

27 \* Sec. 67. AS 44.46 is amended by adding a new section to read:

28           Sec. 44.46.025. FEES FOR SERVICES. (a) The department may, by  
29           regulation, prescribe environmental service fees, including fees for

1 services provided under AS 03.05, AS 17.20, AS 18.35, and AS 44.46.-  
2 020. The department shall collect the prescribed fees and deposit  
3 them in the general fund.

4 (b) The commissioner of administration shall separately account  
5 for environmental service fees collected and deposited in the general  
6 fund by the Department of Environmental Conservation. The annual  
7 estimated balance in the account may be used by the legislature to  
8 make appropriations to the department to carry out its functions under  
9 AS 03.05, AS 17.20, AS 18.35, and AS 44.46.020.

10 \* Sec. 68. AS 44.47 is amended by adding a new section to read:

11 Sec. 44.47.381. ADMINISTRATIVE COST. The department may use  
12 money in the housing assistance loan fund to carry out the adminis-  
13 tration of the housing assistance program.

14 \* Sec. 69. AS 44.50.040 is amended to read:

15 Sec. 44.50.040. FEES. (a) The lieutenant governor may, by  
16 regulation, prescribe the fee for a notary public commission. The [A]  
17 fee [OF \$20] shall be paid to the lieutenant governor for each commis-  
18 sion issued other than to a state employee. The lieutenant governor  
19 shall deposit the fees in the general fund.

20 (b) The commissioner of administration shall separately account  
21 for notary public commission fees deposited in the general fund by the  
22 lieutenant governor. The annual estimated balance in the account may  
23 be used by the legislature to make appropriations to the lieutenant  
24 governor's office to carry out this chapter.

25 \* Sec. 70. AS 44.83 is amended by adding a new section to article 5 to  
26 read:

27 Sec. 44.83.175. ADMINISTRATIVE COST. The authority may use  
28 money in the power project fund to carry out the administration of  
29 this fund.

- 1 \* Sec. 71. AS 44.83 is amended by adding a new section to read:  
2       Sec. 44.83.362. ADMINISTRATIVE COST. The authority may use  
3 money in the rural electrification revolving loan fund to carry out  
4 the administration of this fund.
- 5 \* Sec. 72. AS 45.87.020(c) is amended to read:  
6       (c) Repayments of the principal, any interest, and any money  
7 chargeable to principal or interest which is collected through liq-  
8 uidation by foreclosure or other process on a loan made under this  
9 chapter. [FROM THE BULK FUEL REVOLVING LOAN FUND] shall be paid [BY  
10 THE COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT] into the bulk  
11 fuel revolving loan fund.
- 12 \* Sec. 73. AS 45.87 is amended by adding a new chapter to read:  
13       Sec. 45.87.050. ADMINISTRATIVE COST. The department may use  
14 money in the fund to carry out the administration of this chapter.
- 15 \* Sec. 74. AS 45.87.060 is amended to read:  
16       Sec. 45.87.060. REGULATIONS. The department may [SHALL] adopt  
17 regulations necessary to carry out the provisions of [TO IMPLEMENT]  
18 this chapter, including regulations to establish reasonable fees for  
19 services provided.
- 20 \* Sec. 75. AS 45.87 is amended by adding a new section to read:  
21       Sec. 45.87.065. FEES. The department may charge and collect the  
22 fees established under AS 45.87.060. The commissioner of administra-  
23 tion shall separately account for all fees and collection charges that  
24 the department deposits in the general fund. The annual estimated  
25 balance in the account may be used by the legislature to make appro-  
26 priations to the department to carry out the purposes of this chapter.
- 27 \* Sec. 76. AS 45.88.020(a) is amended to read:  
28       (a) The department may  
29       (1) make loans for the purchase, construction, and

1 installation of alternative energy systems;

2 (2) adopt regulations necessary to carry out the provisions  
3 of this chapter, including regulations to establish reasonable fees  
4 for services provided;

5 (3) charge and collect the fees established under this  
6 subsection.

7 \* Sec. 77. AS 45.88 is amended by adding new sections to read:

8 Sec. 45.88.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
9 commissioner of administration shall separately account for all fees  
10 and collection charges that the department deposits in the general  
11 fund. The annual estimated balance in the account may be used by the  
12 legislature to make appropriations to the department to carry out the  
13 purposes of this chapter.

14 Sec. 45.88.025. ADMINISTRATIVE COST. The department may use  
15 money in the alternative energy revolving loan fund to carry out the  
16 administration of this chapter.

17 \* Sec. 78. AS 45.88.030(d) is amended to read:

18 (d) All principal and interest payments, and any money charge-  
19 able to principal or interest which is collected through liquidation  
20 by foreclosure or other process on loans made under this chapter,  
21 shall be paid into the alternative [TECHNOLOGY AND] energy revolving  
22 loan fund.

23 \* Sec. 79. AS 45.89 is amended by adding a new section to read:

24 Sec. 45.89.025. ADMINISTRATIVE COST. The department may use  
25 money in the residential energy conservation fund to carry out the  
26 administration of this chapter.

27 \* Sec. 80. AS 45.89.030(h) is amended to read:

28 (h) All principal and interest payments, and any money charge-  
29 able to principal or interest which is collected through liquidation

1 by foreclosure or other process [AMOUNTS REPAID] on a loan made under  
2 this chapter, [SECTION] shall be paid into [DEPOSITED TO] the residen-  
3 tial energy conservation fund:

4 \* Sec. 81. AS 45.89.070 is amended to read:

5 Sec. 45.89.070. REGULATIONS. The department shall adopt regu-  
6 lations necessary to carry out the provisions of [IMPLEMENT] this  
7 chapter, including regulations to establish reasonable fees for ser-  
8 vices provided.

9 \* Sec. 82. AS 45.89 is amended by adding a new section to read:

10 Sec. 45.89.075. FEES. The department may charge and collect the  
11 fees established under AS 45.89.070. The commissioner of administra-  
12 tion shall separately account for all fees and collection charges that  
13 the department deposits in the general fund. The annual estimated  
14 balance in the account may be used by the legislature to make appro-  
15 priations to the department to carry out the purposes of this chapter.

16 \* Sec. 83. AS 45.90.010 is amended to read:

17 Sec. 45.90.010. CREATION OF A TOURISM REVOLVING FUND. There is  
18 created in the Department of Commerce and Economic Development a  
19 tourism revolving fund. All principal and interest payments, and any  
20 money chargeable to principal or interest which is collected through  
21 liquidation by foreclosure or other process on loans made under this  
22 chapter, shall be paid into the tourism revolving fund.

23 \* Sec. 84. AS 45.90.020(a) is amended to read:

24 (a) The department may

25 (1) make loans to a business directly involved in the  
26 tourist industry;

27 (2) designate agents and delegate powers to them as is  
28 necessary;

29 (3) adopt regulations necessary to carry out its functions.

1 including regulations to establish reasonable fees for services pro-  
2 vided;

3 (4) establish amortization plans for the repayment of loans  
4 not to exceed 20 years;

5 (5) charge and collect the fees established under this  
6 subsection.

7 \* Sec. 85. AS 45.90 is amended by adding new sections to read:

8 Sec. 45.90.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
9 commissioner of administration shall separately account for all fees  
10 and collection charges that the department deposits in the general  
11 fund. The annual estimated balance in the account may be used by the  
12 legislature to make appropriations to the department to carry out the  
13 purposes of this chapter.

14 Sec. 45.90.025. ADMINISTRATIVE COST. The department may use  
15 money in the tourism revolving fund to carry out the administration of  
16 this chapter.

17 \* Sec. 86. AS 45.95.010(a) is amended to read:

18 (a) The Department of Commerce and Economic Development shall  
19 formulate general policies and adopt regulations necessary to carry  
20 out the provisions of this chapter, including regulations to establish  
21 fees for services provided, and shall charge and collect the fees  
22 established. The commissioner of administration shall separately  
23 account for all fees and collection charges that the department depos-  
24 its in the general fund. The annual estimated balance in the account  
25 may be used by the legislature to make appropriations to the depart-  
26 ment to carry out the purposes of this chapter.

27 \* Sec. 87. AS 45.95.020(d) is amended to read:

28 (d) Money loaned shall be delivered to the borrower in the form  
29 of a warrant drawn on the treasury, vouchered in the manner prescribed

1 for state disbursing officers, and charged against the small business  
2 revolving loan fund. Each voucher shall be approved by the commis-  
3 sioner or any bonded deputy authorized to act as a certifying officer.  
4 Upon repayment of loans by installments, or otherwise, in accordance  
5 with the prescribed terms, or upon liquidation by foreclosure or other  
6 process, or upon receipt of interest [OR OTHER REVENUE], the money so  
7 received shall be turned over to the commissioner of revenue for  
8 deposit in the small business revolving loan fund.

9 \* Sec. 88. AS 45.95 is amended by adding a new section to read:

10 Sec. 45.95.067. ADMINISTRATIVE COST. The department may use  
11 money in the small business revolving loan fund to carry out the  
12 administration of this chapter.

13 \* Sec. 89. AS 45.98.010 is amended to read:

14 Sec. 45.98.010. CREATION OF HISTORICAL DISTRICT REVOLVING LOAN  
15 FUND. There is created in the Department of Commerce and Economic  
16 Development a historical district revolving loan fund. All principal  
17 and interest payments, and any money chargeable to principal or inter-  
18 est which is collected through liquidation by foreclosure or other  
19 process on loans made under this chapter, shall be paid into the  
20 historical district revolving fund.

21 \* Sec. 90. AS 45.98 is amended by adding a new section to read:

22 Sec. 45.98.017. ADMINISTRATIVE COST. The department may use  
23 money in the historical district revolving loan fund to carry out the  
24 administration of this chapter.

25 \* Sec. 91. AS 45.98.030 is amended to read:

26 Sec. 45.98.030. POWERS AND DUTIES OF THE DEPARTMENT. For pur-  
27 poses of administering this chapter, the Department of Commerce and  
28 Economic Development may

29 (1) prescribe the form and procedure for submitting loan

1 applications under this chapter;

2 (2) designate agents and delegate powers to them as is  
3 necessary;

4 (3) in consultation with the Historic Sites Advisory Com-  
5 mittee, adopt regulations necessary to carry out its functions, in-  
6 cluding regulations for the process of plan approval by the committee  
7 and regulations to establish reasonable fees for services provided;

8 (4) establish amortization plans for the repayment of loans  
9 not to exceed 30 years;

10 (5) charge and collect the fees established under this  
11 section.

12 \* Sec. 92. AS 45.98 is amended by adding a new section to read:

13 Sec. 45.98.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
14 commissioner of administration shall separately account for all fees  
15 and collection charges that the department deposits in the general  
16 fund. The annual estimated balance in the account may be used by the  
17 legislature to make appropriations to the department to carry out the  
18 purposes of this chapter.

19 \* Sec. 93. AS 47.23.100 is amended to read:

20 Sec. 47.23.100. ALL PERSONS MAY USE AGENCY. The agency shall  
21 provide aid to any person due child support under the laws of this  
22 state upon application. The agency may, by regulation, [NOT] impose a  
23 fee for services provided under AS 47.23.010 -- 47.23.280 [UNLESS  
24 REQUIRED BY FEDERAL LAW].

25 \* Sec. 94. AS 47.23.125 is amended by adding a new subsection to read:

26 (c) The commissioner of administration shall separately account  
27 for all fees collected under AS 47.23.100 that the agency deposits in  
28 the general fund. The annual estimated balance in the account may be  
29 used by the legislature to make appropriations to the agency to carry

1 out the purposes of this chapter.

2 \* Sec. 95. Notwithstanding AS 37.10.050(a), as amended by sec. 1, ch.  
3 138, SLA 1986, a fee charged by an agency under a regulation that was  
4 adopted before July 1, 1987 under authority of a statute that does not  
5 expressly authorize a charge for a service is valid if it would have been  
6 valid before the 1986 amendment of AS 37.10.050(a). The regulation and fee  
7 remain in effect, and the agency may charge for the service, until the  
8 regulation is repealed or amended by the agency. To amend the regulation  
9 to change the fee, the agency must meet the standard of AS 37.10.050(a).

10 \* Sec. 96. AS 46.03.020(12) and 46.03.025 are repealed.

11 \* Sec. 97. This Act takes effect July 1, 1987.