

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 85

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH 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; and the accounting for and disposi-
9 tion of state receipts; and providing for an effec-
10 tive 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; all program receipts
16 except the following are general fund program receipts:

17 (A) federal receipts;

18 (B) University of Alaska receipts (AS 14.40.491);

19 (C) receipts of the following funds:

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

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

22 (iii) loan funds;

23 (iv) international airport revenue fund (AS 37.-
24 15.430);

25 (v) funds managed by the Alaska State Building
26 Authority (AS 18.55.020), the Alaska Housing Finance
27 Corporation (AS 18.56.020), the Medical Indemnity
28 Corporation of Alaska (AS 21.88.020), the Alaska Railroad
29 Corporation (AS 42.40.010), the Municipal Bond Bank

1 Authority (AS 44.85.020), or the Alaska Industrial Develop-
2 ment and Export Authority (AS 44.88.020);

3 (vi) fish and game fund (AS 16.05.100);

4 (vii) school fund (AS 43.50.140);

5 (viii) training and building fund (AS 23.20.130);

6 (ix) retirement funds (AS 14.25, AS 22.25, AS 26.-
7 05.222, AS 39.35, and former AS 39.37);

8 (x) permanent fund (art. IX, sec. 15, Alaska
9 Constitution);

10 (xi) public school fund (AS 37.14.110);

11 (xii) second injury fund (AS 23.30.040);

12 (xiii) fishermen's fund (AS 23.35.060);

13 (xiv) FICA administration fund (AS 39.30.050).

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

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

1 uniform use of the airport, air navigation facility, or a portion of
2 them [THEREOF].

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

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

9 * Sec. 4. AS 02.15.102 is amended to read:

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

21 * Sec. 5. AS 02.15.106 is amended to read:

22 Sec. 02.15.106. ENCROACHMENT PERMITS. An encroachment may be
23 constructed, placed, changed, or maintained across or within an air-
24 port, but only in accordance with regulations or procedures adopted by
25 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. 6. AS 03.10.020(a) is amended to read:

6 (a) The department may

7 (1) make a loan to

8 (A) an individual resident farmer, homesteader, or a
9 partnership or corporation composed of farmers and homesteaders
10 for

11 (i) clearing land for agricultural purposes;

12 (ii) development of farms;

13 (iii) storage and processing of farm produce; or

14 (iv) the purchase of livestock or machinery;

15 (B) an individual state resident, or a partnership or
16 corporation for

17 (i) storage and processing plants for agricul-
18 tural products;

19 (ii) the commercial production or processing of
20 horticultural products in the state;

21 (iii) the commercial production or processing of
22 animal feed in the state; or

23 (iv) the raising or care of animals in the state
24 for the purpose of marketing their fur;

25 (2) designate agents and delegate its powers to them as
26 necessary;

27 (3) adopt [RULES AND] regulations necessary to carry out
28 its functions, including regulations to establish reasonable fees for
29 services provided and charges for collecting the fees;

1 (4) establish amortization plans for repayment of loans,
2 which may include delayed payments of principal and interest for not
3 to exceed five years;

4 (5) enter into agreements with private lending insti-
5 tutions, other state agencies or agencies of the federal government,
6 to carry out the purposes of this chapter;

7 (6) collect the fees and collection charges established
8 under this section.

9 * Sec. 7. AS 03.10.040 is amended by adding a new subsection to read:

10 (b) Money in the fund may be used by the legislature to make
11 appropriations for costs of administering this chapter.

12 * Sec. 8. AS 03.22 is amended by adding a new section to read:

13 Sec. 03.22.075. ACCOUNTING FOR AND DISPOSITION OF FEES. The
14 commissioner of administration shall separately account for all fees
15 collected by the department under AS 03.22.020(5) and deposited in the
16 general fund. The annual estimated balance in the account may be used
17 by the legislature to make appropriations to the department for the
18 purposes of implementing this chapter.

19 * Sec. 9. AS 04.11.590 is amended by adding a new subsection to read:

20 (c) The commissioner of administration shall separately account
21 for all application and license fees collected under this title that
22 the Department of Revenue deposits in the general fund. The annual
23 estimated balance in the account may be used by the legislature to
24 make appropriations to the department to carry out the purposes of
25 AS 04.06.

26 * Sec. 10. AS 06.01.010 is amended to read:

27 Sec. 06.01.010. EXAMINATION FEES AND ASSESSMENTS. (a) The
28 expenses of the department reasonably incurred in the examination or
29 investigation of all financial institutions or applications to

1 establish financial institutions regulated by the department under
2 this title shall be charged to and paid by each financial institution
3 as provided in (b) and (d) of this section.

4 (b) Except for deposit institutions, the [THE] commissioner
5 shall assess every financial institution [,] and every applicant to
6 establish a financial institution [,] a fee for the actual expenses
7 incurred by the department in connection with any examination or
8 investigation, whether regular or special. The commissioner shall
9 assess every deposit institution and every applicant to establish a
10 deposit institution a fee for the actual expenses incurred by the
11 department in connection with any special examination or investiga-
12 tion. A [THE] fee assessed under this subsection must [SHALL] include
13 the proportionate part of the salaries and cost of employee benefits
14 of the examiners while conducting examinations or investigations and
15 while preparing reports of them, and transportation costs and per diem
16 of each examiner while away from the examiner's [HIS] duty station.
17 [HOWEVER, THE COST TO THE FINANCIAL INSTITUTION IN CONNECTION WITH AN
18 EXAMINATION MAY NOT EXCEED \$7,500 PER EXAMINATION.] The assessment
19 shall be made by the commissioner as soon as feasible after the exam-
20 ination or investigation has been completed. The assessment must [ALL
21 ASSESSMENTS SHALL] be [PAID TO AND] received by the department [BY
22 EACH INSTITUTION] within 30 days after receipt of notice of the asses-
23 sment by the institution.

24 (c) A [ANY] financial institution that [WHICH] fails to make the
25 payments required by the commissioner under (a), [AND] (b), and (d) of
26 this section within the time specified is subject to a penalty of not
27 more than \$100 each day it is late. The penalty, together with the
28 amount due [UNDER (a) OF THIS SECTION], may be recovered in a civil
29 action brought by the department.

1 * Sec. 11. AS 06.01.010 is amended by adding new subsections to read:

2 (d) The commissioner shall adopt regulations providing for
3 semiannual assessments of deposit institutions. An assessment must be
4 based on the amount of assets of a deposit institution and must cover
5 the aggregate cost of periodic examinations of the deposit institu-
6 tion.

7 (e) In this section "deposit institution" means an institution
8 chartered under this title that has obtained authority from the de-
9 partment to receive deposits of the type eligible to be insured by an
10 agency of the federal government.

11 * Sec. 12. AS 09.25 is amended by adding a new section to read:

12 Sec. 09.25.123. ACCOUNTING FOR AND DISPOSITION OF FEES. The
13 commissioner of administration shall separately account for all fees
14 collected under AS 09.25.110 and 09.25.120 that state agencies deposit
15 in the general fund. The annual estimated balance in the accounts may
16 be used by the legislature to make appropriations to the agencies to
17 carry out their respective functions.

18 * Sec. 13. AS 10.15.255 is amended to read:

19 Sec. 10.15.255. TERMINATION OF FILED CONTRACT. When a contract
20 filed under AS 10.15.230 - 10.15.260 has been terminated in any man-
21 ner, the cooperative shall upon demand [,] give a statement of ter-
22 mination to the member party to the contract, who may file the state-
23 ment in the office of the precinct recorder where the contract was
24 originally filed. The precinct recorder shall stamp "expired" after
25 the name of the member in the alphabetical record. The fee for the
26 filing and stamping shall be established by the department by regu-
27 lation [SUBJECT TO AS 10.05.773].

28 * Sec. 14. AS 10.15.260 is amended to read:

29 Sec. 10.15.260. FILING OF LIST OF TERMINATED CONTRACTS. A

1 cooperative may file in the office of the precinct recorder where the
2 contract was originally filed a sworn list of the names of all persons
3 whose contracts have been terminated in a manner other than by expira-
4 tion of their term. The precinct recorder shall stamp "expired" after
5 the name of each of those persons in the alphabetical record. The fee
6 for the filing and stamping shall be established by the department by
7 regulation [SUBJECT TO AS 10.05.773].

8 * Sec. 15. AS 10.15.530 is amended to read:

9 Sec. 10.15.530. BIENNIAL LICENSE FEE. Each cooperative not
10 organized and operated for nonprofit religious, charitable, cemetery,
11 or educational purposes [,] shall pay to the department a biennial li-
12 cense fee. The fee shall be paid before July 2 of the reporting year.
13 [IN THE CASE OF NEW COOPERATIVES FORMED DURING A BIENNIAL PERIOD, THE
14 FEE SHALL BE PROPORTIONATE TO THE FRACTION OF THE BIENNIAL PERIOD.]

15 * Sec. 16. AS 10.15.545 is amended to read:

16 Sec. 10.15.545. LICENSE FEE FOR COOPERATIVE [WITHOUT CAPITAL
17 STOCK]. The license fee of each cooperative [HAVING NO AUTHORIZED
18 SHARES OF CAPITAL STOCK] shall be established by the department by
19 regulation [SUBJECT TO AS 10.05.773].

20 * Sec. 17. AS 10.15.555 is amended to read:

21 Sec. 10.15.555. MISCELLANEOUS FEES AND CHARGES. (a) The de-
22 partment shall establish by regulation [SUBJECT TO AS 10.05.773] and
23 charge and collect from a cooperative fees for filing

24 (1) articles of incorporation or articles of consolidation
25 for a new cooperative;

26 (2) articles of amendment, restated articles, or articles
27 of merger [, AND, IF THE ARTICLES PROVIDE FOR AN INCREASE OF THE
28 AMOUNT OF AUTHORIZED CAPITAL STOCK OF THE COOPERATIVE, THE FILING
29 COOPERATIVE SHALL ALSO PAY THE PROPORTIONATE PART OF THE ANNUAL

1 LICENSE FEE FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR, PAYABLE BY
2 A COOPERATIVE WHOSE AUTHORIZED SHARES EQUAL THE NEWLY INCREASED AUTHO-
3 RIZED SHARES OF THE FILING COOPERATIVE, LESS THE ANNUAL LICENSE FEE
4 ALREADY PAID FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR BY THE
5 FILING COOPERATIVE; BUT FILING ARTICLES DECREASING THE AUTHORIZED
6 SHARES DOES NOT REDUCE THE ANNUAL LICENSE FEE OF THE FILING COOPERA-
7 TIVE UNTIL THE BEGINNING OF THE FISCAL YEAR FOLLOWING THAT IN WHICH
8 THE ARTICLES WERE FILED];

9 (3) statement of intent to dissolve;

10 (4) statement of revocation of voluntary dissolution pro-
11 ceedings;

12 (5) articles of dissolution;

13 (6) all other statements.

14 (b) The department may by regulation charge each cooperative
15 corporation subject to this chapter a fixed fee in place of charging
16 cooperative corporations the various fees specified in this chapter,
17 with the exception of AS 10.15.535, (a)(1) of this section, and for
18 routine administrative services rendered to the cooperative corpora-
19 tion by the department. [AN INCREASE IN THE AMOUNT OF A FIXED FEE
20 CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

21 * Sec. 18. AS 10.20.635 is amended to read:

22 Sec. 10.20.635. FEES FOR FILING DOCUMENTS AND ISSUING CERTIFI-
23 CATES. (a) The commissioner shall establish by regulation [SUBJECT
24 TO AS 10.05.773], charge, and collect filing fees for

25 (1) [FILING] articles of incorporation and issuing a certi-
26 ficate of incorporation;

27 (2) [FILING] articles of amendment and issuing a certifi-
28 cate of amendment;

29 (3) [FILING] restated articles of incorporation and issuing

1 a restated certificate of incorporation;

2 (4) [FILING] articles of merger or consolidation and issu-
3 ing a certificate of merger or consolidation;

4 (5) [FILING] a statement of change of address of registered
5 office or change of registered agent, or both;

6 (6) [FILING] articles of dissolution;

7 (7) [FILING] an application of a foreign corporation for a
8 certificate of authority to conduct affairs in this state and issuing
9 a certificate of authority;

10 (8) [FILING] an application of a foreign corporation for an
11 amended certificate of authority to conduct affairs in this state and
12 issuing an amended certificate of authority;

13 (9) [FILING] a copy of an amendment to the articles of
14 incorporation of a foreign corporation holding a certificate of auth-
15 ority to conduct affairs in this state;

16 (10) [FILING] a copy of articles of merger of a foreign
17 corporation holding a certificate of authority to conduct affairs in
18 this state;

19 (11) [FILING] an application for withdrawal of a foreign
20 corporation and issuing a certificate of withdrawal;

21 (12) [FILING] any other statement or report, including a
22 biennial report, of a domestic or foreign corporation.

23 (b) The department may by regulation charge each corporation
24 subject to this chapter a fixed fee in place of the various fees
25 specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS
26 SECTION,] and for routine administrative services rendered to the
27 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED
28 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

29 * Sec. 19. AS 10.20.640 is amended to read:

1 Sec. 10.20.640. FEE FOR CERTIFIED COPIES OF INSTRUMENTS. The
2 fee for furnishing a certified copy of any instrument shall be estab-
3 lished by the department by regulation [SUBJECT TO AS 10.05.773].

4 * Sec. 20. AS 10.25.530(a) is amended to read:

5 (a) The commissioner shall establish by regulation [SUBJECT TO
6 AS 10.05.773], charge, and collect [FILING] fees for

- 7 (1) filing articles of incorporation;
- 8 (2) filing articles of amendment;
- 9 (3) filing articles of consolidation or merger;
- 10 (4) filing articles of conversion;
- 11 (5) filing certificate of election to dissolve;
- 12 (6) filing articles of dissolution;
- 13 (7) filing certificate of change of principal office and
14 designation or change of registered office and registered agent; and
15 (8) acting as agent for service of process.

16 * Sec. 21. AS 10.25.530(b) is amended to read:

17 (b) The department may by regulation charge each cooperative
18 subject to this chapter a fixed fee in place of the various fees
19 specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS
20 SECTION,] and for the routine administrative services rendered to the
21 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED
22 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

23 * Sec. 22. AS 10.35.060 is amended to read:

24 Sec. 10.35.060. FEE FOR AND DURATION OF REGISTERED NAME. The
25 fee for the initial registration of a business name shall be estab-
26 lished by the department by regulation [SUBJECT TO AS 10.05.773]. The
27 year in which the registration becomes effective is considered a full
28 year of registration and the registration is effective until the close
29 of the fifth calendar year beginning with the year of initial

1 registration.

2 * Sec. 23. AS 10.35.070 is amended to read:

3 Sec. 10.35.070. RENEWAL OF REGISTERED NAME. A registered busi-
4 ness name may be renewed every five years if an application for re-
5 newal is filed. An application for renewal must set out the facts
6 required in an original application for registration and be accom-
7 panied by a renewal fee to be established by the department by regu-
8 lation [SUBJECT TO AS 10.05.773]. An application for renewal may be
9 filed between October 1 and December 31 of any year. The renewal of
10 the registration extends the registration for the following five
11 calendar years.

12 * Sec. 24. AS 10.40.140(a) is amended to read:

13 (a) A [ANY] document required to be filed with the commissioner
14 under this chapter shall be accompanied by a fee to be established by
15 the department by regulation [SUBJECT TO AS 10.05.773].

16 * Sec. 25. AS 12.55.105(a) is amended to read:

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

23 * Sec. 26. AS 14.07.030 is amended to read:

24 Sec. 14.07.030. POWERS OF THE DEPARTMENT. The department may
25 (1) establish, maintain, govern, operate, discontinue, and
26 combine area, regional, and special schools;
27 (2) enter into contractual agreements with the Bureau of
28 Indian Affairs or with a school district to share boarding costs of
29 secondary school students;

1 (3) provide for citizenship night schools when and where
2 expedient;

3 (4) provide for the sale or other disposition of abandoned
4 or obsolete buildings and other state-owned school property;

5 (5) prescribe a classification for items of expense of
6 school districts;

7 (6) acquire and transfer personal property, acquire real
8 property, and transfer real property to federal agencies, state
9 agencies, or to political subdivisions;

10 (7) enter into contractual agreements with school districts
11 to provide more efficient or economical education services; reasonable
12 fees may be charged by the department to cover the costs of providing
13 services under an agreement, including costs for professional ser-
14 vices, reproduction or printing, and mailing and distribution of
15 educational materials;

16 (8) provide for the issuance of elementary and secondary
17 diplomas to persons not in school who have completed the equivalent of
18 an 8th or 12th grade education, respectively, in accordance with
19 standards established by the department;

20 (9) exercise disapproval power under AS 14.08.101;

21 (10) apply for, accept, and spend endowments, grants, and
22 other private money available to the state for educational purposes in
23 accordance with AS 37.07 (the Executive Budget Act);

24 (11) set student tuition and fees for educational and extra-
25 curricular programs and services provided and schools operated by the
26 department under the provisions of [AS 14.07.020(12) AND] (1) of this
27 section and AS 14.07.020(9), (11), and (12);

28 (12) charge fees to cover the costs of care and handling
29 with respect to the acquisition, warehousing, distribution, or

1 transfer of donated foods;

2 (13) establish and collect fees for the rental of school
3 facilities and for other programs and services provided by the
4 schools.

5 * Sec. 27. AS 14.07.035 is amended by adding a new subsection to read:

6 (f) The commissioner of administration shall separately account
7 for all rental and other fees collected by the department under AS
8 14.07.030(13) and deposited 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 for operation of state schools.

11 * Sec. 28. AS 14.56.030(10) is amended to read:

12 (10) establishing and charging fees for reproduction, [OR]
13 printing, and handling costs, [AND] for mailing and distributing state
14 publications and research data, and for other services authorized by
15 this chapter.

16 * Sec. 29. AS 14.56.035 is amended to read:

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

23 * Sec. 30. AS 14.57.010 is amended by adding a new subsection to read:

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

27 * Sec. 31. AS 14.57.015 is amended to read:

28 Sec. 14.57.015. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
29 commissioner of administration shall separately account for each

1 endowment, [OR] grant, or gift from a private donor received under
2 AS 14.57.010(b)(4), and for fees collected under AS 14.57.010(c), and
3 deposited by the department 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 department to carry out the purposes of AS 14.57.010.

6 * Sec. 32. AS 15.62 is amended by adding a new section to read:

7 Sec. 15.62.020. VOTER REGISTRATION AND ELECTION MANAGEMENT
8 SYSTEM RECEIPTS. (a) The director may sell voter registration and
9 election management system data processing software. Receipts gen-
10 erated through the sales shall be deposited in the general fund.

11 (b) The commissioner of administration shall separately account
12 for all money collected through sales under (a) of this section 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 division of elections to carry out its responsibil-
16 ities in connection with the voter registration and election manage-
17 ment system.

18 * Sec. 33. AS 15.62 is amended by adding a new section to read:

19 Sec. 15.62.030. ACCOUNTING FOR AND DISPOSITION OF FEES AND
20 RETAINED DEPOSITS. The commissioner of administration shall separate-
21 ly account for all money collected as fees for copies of voter regis-
22 tration lists under AS 15.15.400; as filing fees under AS 15.25.050,
23 AS 15.35.041, 15.35.057, 15.35.071, and 15.35.120; as charges for
24 space in the election pamphlet under AS 15.58.060; and for all money
25 retained from deposits under AS 15.20.450, AS 15.45.020, 15.45.260,
26 and 15.45.480. The annual estimated balance in the accounts may be
27 used by the legislature to make appropriations to the division of
28 elections to carry out its functions under this title.

29 * Sec. 34. AS 16.05.050(16) is amended to read:

1 (16) to establish and charge fees equal to the cost of
2 services provided by the department, including provision of public
3 shooting ranges, broodstock and eggs for private nonprofit hatcheries,
4 department publications, and other direct services, and reasonable
5 fees for the use of state facilities managed by the department;

6 * Sec. 35. AS 16.05.050 is amended by adding a new paragraph to read:

7 (18) to operate state housing and facilities for employees,
8 contractors, and others in support of the department's responsibil-
9 ities and to charge rent that is consistent with any applicable col-
10 lective bargaining agreement, or, if no collective bargaining agree-
11 ment is applicable, competitive with market conditions; rent received
12 from tenants shall be deposited in the general fund.

13 * Sec. 36. AS 16.05.053 is amended to read:

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

21 * Sec. 37. AS 16.10.310(a)(3) is amended to read:

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

25 * Sec. 38. AS 16.10.310(a) is amended by adding a new paragraph to
26 read:

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

29 * Sec. 39. AS 16.10 is amended by adding a new section to read:

1 Sec. 16.10.312. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
2 commissioner of administration shall separately account for all fees
3 and collection charges that the department deposits in the general
4 fund. The annual estimated balance in the account may be used by the
5 legislature to make appropriations to the department to carry out the
6 purposes of AS 16.10.300 - 16.10.370.

7 * Sec. 40. AS 16.10.320 is amended by adding a new subsection to read:

8 (j) All principal and interest payments, and any money charge-
9 able to principal or interest that is collected through liquidation by
10 foreclosure or other process on loans made under AS 16.10.300 - 16.-
11 10.370, shall be paid into the commercial fishing revolving loan fund.

12 * Sec. 41. AS 16.10.340 is amended by adding a new subsection to read:

13 (b) Money in the fund may be used by the legislature to make
14 appropriations for costs of administering AS 16.10.300 - 16.10.370.

15 * Sec. 42. AS 16.10.505 is amended to read:

16 Sec. 16.10.505. FISHERIES ENHANCEMENT REVOLVING LOAN FUND.
17 There is created within the Department of Commerce and Economic Devel-
18 opment a revolving fund to be known as the fisheries enhancement
19 revolving loan fund. Except as provided in (b) of this section, the
20 [THE] fund shall be used to carry out the purposes of AS 16.10.500 -
21 16.10.560 and for no other purpose. All principal and interest pay-
22 ments, and money chargeable to principal or interest that is collected
23 through liquidation by foreclosure or other process on loans made
24 under AS 16.10.500 - 16.10.560, shall be paid into the fisheries
25 enhancement revolving loan fund.

26 * Sec. 43. AS 16.10.505 is amended by adding a new subsection to read:

27 (b) Money in the fund may be used by the legislature to make
28 appropriations for costs of administering AS 16.10.500 - 16.10.560.

29 * Sec. 44. AS 16.10.510(4) is amended to read:

1 (4) adopt regulations necessary to carry out the provisions
2 of AS 16.10.500 - 16.10.560, including regulations to establish rea-
3 sonable fees for services provided [HIS FUNCTIONS];

4 * Sec. 45. AS 16.10.510 is amended by adding a new paragraph to read:

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

7 * Sec. 46. AS 16.10 is amended by adding a new section to read:

8 Sec. 16.10.512. 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 AS 16.10.500 - 16.10.560.

14 * Sec. 47. AS 17.30.100(c) is amended to read:

15 (c) The Department of Public Safety, [IN COOPERATION WITH OTHER
16 STATE AND FEDERAL AGENCIES, AND] in accordance with AS 37.07 (the
17 Executive Budget Act), may apply for and accept money necessary to
18 exchange information concerning narcotics trafficking between the
19 states, or otherwise related to the enforcement of AS 11.71 or
20 AS 11.73. The commissioner of administration shall separately account
21 for money received under this subsection that the Department of Public
22 Safety deposits in the general fund. The annual estimated balance in
23 the account may be used by the legislature to make appropriations to
24 the department to carry out the purposes of this section.

25 * Sec. 48. AS 18.07 is amended by adding a new section to read:

26 Sec. 18.07.035. APPLICATION AND FEES. (a) Application for a
27 certificate of need shall be made to the department upon a form pro-
28 vided by the department and must contain the information the depart-
29 ment requires to reach a decision under AS 18.07.041 - 18.07.111.

1 Each application for a certificate of need must be accompanied by an
2 application fee established by the department by regulation.

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

7 * Sec. 49. AS 18.20.030 is amended to read:

8 Sec. 18.20.030. APPLICATION AND FEES. Application for a license
9 shall be made to the department upon a form provided by it, and must
10 [SHALL] contain the information the department requires, which may in-
11 clude affirmative evidence of ability to comply with the reasonable
12 standards and regulations adopted under AS 18.20.060 - 18.20.080.
13 Each application for a license must [SHALL] be accompanied by a li-
14 cense fee established by the department by regulation [OF \$10]. The
15 department shall deposit all fees received in the general fund [STATE
16 TREASURY].

17 * Sec. 50. AS 18.20.030 is amended by adding a new subsection to read:

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

23 * Sec. 51. AS 18.20.040 is amended to read:

24 Sec. 18.20.040. ISSUANCE AND RENEWAL OF LICENSE AND POSTING.
25 Upon receipt of an application for license and the license fee, the
26 department shall issue a license if the applicant meets the require-
27 ments established under AS 18.20.060 - 18.20.080. If the applicant
28 does not meet the requirements established under AS 18.20.060 - 18.-
29 20.080 but makes continued efforts to comply with them, the department

1 may grant a temporary or provisional license for a reasonable period
2 of time. A license, unless suspended or revoked, is renewable annual-
3 ly [WITHOUT CHARGE] upon filing by the licensee [,] and approval by
4 the department of an annual report on the uniform date and containing
5 the information in the form the department prescribes by regulation.
6 Each license issued is for the premises and person or governmental
7 unit named in the application and is not transferable or assignable
8 except with the written approval of the department. Licenses shall
9 be posted in a conspicuous place on the licensed premises.

10 * Sec. 52. AS 18.55.100(a) is amended by adding new paragraphs to read:

11 (16) charge and collect fees to owners or developers of
12 low-income housing for the application for and allocation of federal
13 low-income housing tax credits;

14 (17) collect and pay reasonable fees and charges in
15 connection with making, purchasing, and servicing its mortgages,
16 loans, notes, bonds, certificates, commitments, and other evidences of
17 indebtedness.

18 * Sec. 53. AS 18.65.410 is amended to read:

19 Sec. 18.65.410. APPLICATIONS. Application for a license as a
20 security guard must be made on forms provided by the commissioner.
21 The application must require the furnishing of information reasonably
22 required by the commissioner to carry out the provisions of AS 18.-
23 65.400 - 18.65.490, including classifiable fingerprints to enable the
24 search of criminal indices for evidence of a prior criminal record.
25 The application must be accompanied by a nonrefundable application fee
26 in an amount set by the Department of Public Safety by regulation [OF
27 \$25] for a security guard and [\$200] for a security guard agency.

28 * Sec. 54. AS 18.65 is amended by adding a new section to read:

29 Sec. 18.65.415. ACCOUNTING FOR AND DISPOSITION OF FEES. The

1 commissioner of administration shall separately account for fees
2 collected under AS 18.65.410 and 18.65.430 that the Department of
3 Public Safety 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 department to carry out the purposes of AS 18.65.-
6 400 - 18.65.490.

7 * Sec. 55. AS 18.65.430 is amended to read:

8 Sec. 18.65.430. DURATION OF LICENSE. A security guard license
9 issued under AS 18.65.400 - 18.65.490 is valid for a period of two
10 years and may be renewed for additional two-year terms. A renewal fee
11 set by the Department of Public Safety by regulation [OF \$25] must be
12 paid for each renewal.

13 * Sec. 56. AS 19.25.010 is amended to read:

14 Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES; FEES. (a)
15 A utility facility may be constructed, placed, or maintained across,
16 along, over, under or within a state right-of-way only in accordance
17 with regulations prescribed by the department and if authorized by a
18 written permit issued by the department.

19 (b) The department may charge a fee for a permit issued under
20 this section. The commissioner of administration shall separately
21 account for utility permit fees that the department deposits in the
22 general fund. The annual estimated balance in the account may be used
23 by the legislature to make appropriations to the department to carry
24 out the purposes of this chapter.

25 * Sec. 57. AS 19.60.030 is amended to read:

26 Sec. 19.60.030. REGULATIONS; FEES. (a) The department may
27 adopt [RULES AND] regulations governing the use of ferry terminal
28 facilities by the public which it considers necessary and proper in
29 the public interest.

1 (b) The department may charge a fee for the use of ferry termi-
2 nal facilities, whether the use is under a permit or otherwise, and
3 whether it is by one or more individuals. The commissioner of admin-
4 istration shall separately account for permit fees and use fees that
5 the department deposits in the general fund. The annual estimated
6 balance in the account may be used by the legislature to make appro-
7 priations to the department to carry out the purposes of this chapter.

8 * Sec. 58. AS 19.65 is amended by adding a new section to read:

9 Sec. 19.65.030. ACCOUNTING FOR AND DISPOSITION OF FEES. The
10 commissioner of administration shall separately account for all fees
11 collected by the Department of Transportation and Public Facilities
12 for the marine highway system under AS 19.05.040(11) and deposited in
13 the general fund. The annual estimated balance in the account may be
14 used by the legislature to make appropriations to the Department of
15 Transportation and Public Facilities for the purposes of the marine
16 highway system.

17 * Sec. 59. AS 24.20.050 is amended by adding a new subsection to read:

18 (b) The executive director may establish reasonable fees for
19 services and materials provided by the Legislative Affairs Agency to
20 entities outside of the legislative branch of state government and
21 charges for collecting the fees. All fees and charges collected by
22 the agency shall be deposited into the general fund. The commissioner
23 of administration shall separately account for all fees and collection
24 charges that the agency deposits in the general fund. The annual
25 estimated balance in the account may be used by the legislature to
26 make appropriations to the agency to carry out the functions of the
27 agency.

28 * Sec. 60. AS 26.15.030(a) is amended to read:

29 (a) The Department of Commerce and Economic Development shall

1 formulate general policies and adopt regulations, including regula-
2 tions to establish reasonable fees for services provided.

3 * Sec. 61. AS 26.15.030(c) is amended by adding a new paragraph to
4 read:

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

7 * Sec. 62. AS 26.15 is amended by adding a new section to read:

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

14 * Sec. 63. AS 26.15.040(d) is amended to read:

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

26 * Sec. 64. AS 26.15.090 is amended by adding a new subsection to read:

27 (b) Money in the fund may be used by the legislature to make
28 appropriations for costs of administering this chapter.

29 * Sec. 65. AS 27.09.010(b) is amended to read:

1 (b) The mining loan fund is a revolving fund consisting of
2 appropriations made to the fund by the legislature, [AND] repayments
3 of principal and interest, and any money chargeable to principal or
4 interest that is collected through liquidation by foreclosure or other
5 process on loans made from the fund. Money appropriated to or repaid
6 into the fund does not lapse under AS 37.25.010. Money in the fund
7 may be used by the legislature to make appropriations for costs of
8 administering the fund.

9 * Sec. 66. AS 27.09.050 is amended to read:

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

20 * Sec. 67. AS 27.09 is amended by adding a new section to read:

21 Sec. 27.09.055. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
22 commissioner of administration shall separately account for all fees
23 and collection charges that the department collects under this chapter
24 and deposits in the general fund. The annual estimated balance in the
25 account may be used by the legislature to make appropriations to the
26 department to carry out the purposes of this chapter.

27 * Sec. 68. AS 29.25 is amended by adding a new section to read:

28 Sec. 29.25.075. COLLECTION OF PENALTIES. The court may collect
29 for a municipality any monetary penalty or item to be forfeited as a

1 result of the violation of an ordinance. The supreme court may pre-
2 scribe by rule the fees to be charged by all courts to municipalities
3 for providing collection services under this section.

4 * Sec. 69. AS 33.30.041 is amended by adding a new subsection to read:

5 (d) The commissioner of administration shall separately account
6 for payments received under agreements entered into under this section
7 that the department deposits in the general fund. The annual esti-
8 mated balance in the account may be used by the legislature to make
9 appropriations to the department for the operation of state correc-
10 tional facilities.

11 * Sec. 70. AS 33.30.131 is amended by adding a new subsection to read:

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

17 * Sec. 71. AS 35.10.015(a) is amended by adding a new subsection to
18 read:

19 (f) The department may establish, by regulation, and collect
20 reasonable fees for services provided in the course of determining
21 compliance with regulations adopted under this section. The commis-
22 sioner of administration shall separately account for fees collected
23 under this section which the department deposits in the general fund.
24 The annual estimated balance in the account may be used by the legis-
25 lature to make appropriations to the department for the purposes of
26 this chapter.

27 * Sec. 72. AS 35.10.210 is amended to read:

28 Sec. 35.10.210. USE OF PUBLIC FACILITIES FOR UTILITIES. A
29 utility facility may be constructed, placed, or maintained across,

1 along, over, under, or within a state public facility only in accor-
2 dance with regulations adopted or procedures prescribed by the depart-
3 ment and only if authorized by a written permit issued by the depart-
4 ment. The department may charge a fee for a permit issued under this
5 section. The commissioner of administration shall separately account
6 for utility permit fees that the department 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 chapter.

10 * Sec. 73. AS 35.10.230 is amended to read:

11 Sec. 35.10.230. ENCROACHMENT PERMITS. An encroachment may be
12 constructed, placed, changed, or maintained across or within a public
13 facility, but only in accordance with regulations or procedures adopt-
14 ed by the department. An encroachment may not be constructed, placed,
15 maintained, or changed until it is authorized by a written permit
16 issued by the department, unless the department provides otherwise by
17 regulation. The department may charge a fee for a permit issued under
18 this section. The commissioner of administration shall separately
19 account for encroachment permit fees that the department deposits in
20 the 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. 74. AS 37.10.050(a) is amended to read:

24 (a) A state agency may not charge for the provision of state
25 services unless the charge is set [AUTHORIZED] by statute or is set by
26 a regulation that meets the standards of AS 44.62.020 and 44.62.030.
27 Unless specifically exempted by statute, a state agency authorized to
28 collect or receive fees, licenses, taxes, or other money belonging to
29 the state shall account for and remit the receipts, less fees to which

1 the collector is entitled by statute or regulation, to the Department
2 of Revenue at least once each month.

3 * Sec. 75. AS 37.17 is amended by adding a new section to read:

4 Sec. 37.17.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
5 commissioner of administration shall separately account for each gift,
6 grant, or other aid received under AS 37.17.030(b) that is not
7 designated to be deposited in the science endowment established under
8 AS 37.17.020 and that the foundation deposits in the general fund.
9 The annual estimated balance in the accounts may be used by the
10 legislature to make appropriations to the foundation to carry out the
11 purposes of this chapter.

12 * Sec. 76. AS 38.05.035 is amended by adding a new subsection to read:

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

19 * Sec. 77. AS 38.05.068 is amended by adding a new subsection to read:

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

25 * Sec. 78. AS 38.05.070 is amended by adding a new subsection to read:

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

1 carry out the purposes of this section.

2 * Sec. 79. AS 38.05.082 is amended by adding a new subsection to read:

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

8 * Sec. 80. AS 38.05.102 is amended to read:

9 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold
10 created under AS 38.05.070 - 38.05.105 is offered for sale or long-
11 term lease at the termination of the existing leasehold, the director
12 may, upon a finding that it is in the best interest of the state,
13 allow the holder in good standing of that leasehold to purchase or
14 lease the land for its appraised fair market value at the time of the
15 sale or long-term lease. The commissioner of administration shall
16 separately account for all fees collected under this section 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 section.

20 * Sec. 81. AS 38.05.120 is amended by adding a new subsection to read:

21 (b) The commissioner of administration shall separately account
22 for all money collected under this section that the department de-
23 posits in the general fund. The annual estimated balance in the
24 account may be used by the legislature to make appropriations to the
25 department to carry out the purposes of this section, AS 38.05.110,
26 and AS 41.17.300.

27 * Sec. 82. AS 38.05.850 is amended by adding a new subsection to read:

28 (c) The commissioner of administration shall separately account
29 for all fees collected under this section and deposited in the general

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

4 * Sec. 83. AS 38.35.140(b) is amended to read:

5 (b) The lessee shall reimburse the state for all reasonable
6 costs incurred in processing an application filed under AS 38.35.050
7 and in monitoring the construction of the pipeline on the right-of-
8 way. The commissioner of administration shall separately account for
9 money received under this section [SUBSECTION] that the Department of
10 Natural Resources 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 38.35
13 [THIS SECTION].

14 * Sec. 84. AS 38.95.240(b) is amended to read:

15 (b) If it is determined that the plaintiff is entitled to the
16 property, the department shall deliver the property to the plaintiff.
17 The rents, profits, interest, or dividends that accrue to the state
18 during its possession of the property are the property of the state
19 and may not be recovered. The commissioner of administration shall
20 separately account for all money collected under this subsection that
21 the department deposits in the general fund. The annual estimated
22 balance in the account may be used by the legislature to make appro-
23 priations to the department to carry out the purposes of AS 38.95.230.

24 * Sec. 85. AS 38.95.250 is amended by adding a new subsection to read:

25 (b) All money collected under (a) of this section not required
26 to be kept in the escheated real property trust account shall be
27 deposited in the general fund. The commissioner of administration
28 shall separately account for all money 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 AS 38.95.230.

3 * Sec. 86. AS 39.25.050 is amended by adding a new subsection to read:

4 (b) The director of personnel may contract with municipalities,
5 private organizations, and other persons to provide personnel research
6 or personnel training services for them and charge a fee for doing so.

7 * Sec. 87. AS 41.35.045 is amended by adding a new subsection to read:

8 (c) The commissioner of administration shall separately account
9 for all fees collected under this section that the department deposits
10 in the general fund. The annual estimated balance in the account may
11 be used by the legislature to make appropriations to the department to
12 carry out the purposes of this chapter.

13 * Sec. 88. AS 44.21 is amended by adding a new section to article 1 to
14 read:

15 Sec. 44.21.070. ACCOUNTING FOR AND DISPOSITION OF FEES. The
16 commissioner of administration shall separately account for each type
17 of fee collected by the Department of Administration that the depart-
18 ment deposits in the general fund. The annual estimated balance in
19 the accounts may be used by the legislature to make appropriations to
20 the department to carry out its functions.

21 * Sec. 89. AS 44.23 is amended by adding new sections to read:

22 Sec. 44.23.023. ACCOUNTING FOR AND DISPOSITION OF MONEY COLLECT-
23 ED. The commissioner of administration shall separately account for
24 money collected by the Department of Law, in the performance of its
25 duties, and deposited in the general fund. The annual estimated bal-
26 ance in the account may be used by the legislature to make appro-
27 priations to the Department of Law to carry out its monetary collection
28 functions.

29 Sec. 44.23.025. DEPARTMENT HOUSING. The Department of Law may

1 operate state housing in support of its statutory responsibilities and
2 may charge rent consistent with an applicable collective bargaining
3 agreement. The commissioner of administration shall separately ac-
4 count for housing program receipts that the Department of Law deposits
5 in the general fund. The annual estimated balance in the account may
6 be used by the legislature to make appropriations to the department to
7 carry out the housing program.

8 * Sec. 90. AS 44.33.240 is amended by adding a new subsection to read:

9 (b) The department may use money in the fund for costs of admin-
10 istering AS 44.33.240 - 44.33.275.

11 * Sec. 91. AS 44.33.245(a) is amended to read:

12 (a) The department may

13 (1) make loans for the construction, renovation, and equip-
14 ping of child care facilities, including private nonprofit child care
15 facilities;

16 (2) adopt regulations necessary to carry out the provisions
17 of AS 44.33.240 - 44.33.275, including regulations to establish rea-
18 sonable fees for services provided and charges for collecting the
19 fees; and

20 (3) collect the fees and charges established under this
21 subsection.

22 * Sec. 92. AS 44.33 is amended by adding a new section to read:

23 Sec. 44.33.247. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
24 commissioner of administration shall separately account for all fees
25 and collection charges that the department deposits in the general
26 fund. The annual estimated balance in the account may be used by the
27 legislature to make appropriations to the department to carry out the
28 purposes of AS 44.33.240 - 44.33.275.

29 * Sec. 93. AS 44.33.255(d) is amended to read:

1 (d) All principal and interest payments, and any money charge-
2 able to principal or interest that is collected through liquidation by
3 foreclosure or other process on loans made under AS 44.33.240 - 44.-
4 33.275₁ shall be paid into the child care facility revolving loan
5 fund.

6 * Sec. 94. AS 44.33.600 is amended by adding a new subsection to read:

7 (c) Money in the fund may be used by the legislature to make
8 appropriations for costs of administering AS 44.33.600 - 44.33.630.

9 * Sec. 95. AS 44.41.020 is amended by adding a new subsection to read:

10 (c) The Department of Public Safety may operate state housing in
11 support of the department's statutory responsibilities and charge rent
12 consistent with applicable collective bargaining agreements, or, if no
13 collective bargaining agreement is applicable, competitive with market
14 conditions. Rent received from tenants must be deposited in the gen-
15 eral fund. The commissioner of administration shall separately
16 account for rent received under the housing program. The annual
17 estimated balance in the account may be used by the legislature to
18 make appropriations to the Department of Public Safety to carry out
19 the residential housing program.

20 * Sec. 96. AS 44.41 is amended by adding a new section to read:

21 Sec. 44.41.040. CRIMINAL HISTORY FEE. The commissioner of
22 public safety may establish by regulation and the Department of Public
23 Safety may charge a reasonable fee to be paid by a person requesting a
24 criminal history record check or a copy of the person's criminal
25 history record from confidential files maintained by the department.
26 The commissioner of administration shall separately account for fees
27 collected under this section that the Department of Public Safety
28 deposits in the general fund. The annual estimated balance in the
29 account may be used by the legislature to make appropriations to the

1 department to carry out the purposes of this section.

2 * Sec. 97. AS 44.42.020(b) is amended to read:

3 (b) The department may

4 (1) engage in experimental projects relating to available
5 or future modes of transportation and any means of improving existing
6 transportation facilities and service;

7 (2) exercise the power of eminent domain, including the
8 declaration of taking as provided in AS 09.55;

9 (3) publish plans, schedules, directories, guides, and
10 manuals for distribution, with or without charge, to private or public
11 entities or persons;

12 (4) operate state housing in support of the department's
13 statutory responsibilities and charge rent that is consistent with an
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 (6) charge and collect fees for training services and
20 technical assistance provided by department personnel.

21 * Sec. 98. AS 44.42.025 is amended to read:

22 Sec. 44.42.025. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
23 commissioner of administration shall separately account for money that
24 derives from the sale of documents under AS 44.42.020(b)(3), rents and
25 fees received under AS 44.42.020(b)(4) and (5), and the provision of
26 training services and technical assistance under AS 44.42.020(b)(6),
27 and that the Department of Transportation and Public Facilities depos-
28 its in the general fund. The annual estimated balance in the accounts
29 [ACCOUNT] may be used by the legislature to make appropriations to the

1 department to carry out the purposes of AS 44.42.020.

2 * Sec. 99. AS 44.46 is amended by adding a new section to article 1 to
3 read:

4 Sec. 44.46.025. FEES FOR SERVICES. (a) The department may, by
5 regulation, prescribe reasonable fees for services provided by the
6 department, including fees for services provided under AS 03.05,
7 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020. The department
8 shall collect the fees and deposit them in the general fund.

9 (b) The commissioner of administration shall separately account
10 for service fees collected and deposited in the general fund by the
11 Department of Environmental Conservation. The annual estimated bal-
12 ance in the account may be used by the legislature to make appropria-
13 tions to the department to carry out its functions under AS 03.05,
14 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020.

15 * Sec. 100. AS 44.47.055 is amended to read:

16 Sec. 44.47.055. FEES FOR PUBLICATIONS, [AND] RESEARCH DATA, AND
17 OTHER SERVICES. The commissioner may establish by regulation and the
18 department may charge reasonable fees for department publications,
19 [AND] research data, and other services to cover the cost of reproduc-
20 tion, printing, mailing, [AND] distribution, and other services. The
21 commissioner of administration shall separately account for fees
22 collected under this section that the department deposits in the
23 general fund. The annual estimated balance in the account may be used
24 by the legislature to make appropriations to the department to carry
25 out the purposes of this section.

26 * Sec. 101. AS 44.47.380 is amended by adding a new subsection to read:

27 (b) Money in the fund may be used by the legislature to make
28 appropriations for costs of administering the housing assistance
29 program.

1 * Sec. 102. AS 44.50.040 is amended to read:

2 Sec. 44.50.040. FEES. The lieutenant governor may, by regu-
3 lation, prescribe the fee for a notary public commission. The [A] fee
4 [OF \$20] shall be paid to the lieutenant governor for each commission
5 issued to a person other than [TO] a state employee. The lieutenant
6 governor shall deposit the fees in the general fund.

7 * Sec. 103. AS 44.50.040 is amended by adding a new subsection to read:

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

13 * Sec. 104. AS 44.83.170 is amended by adding a new subsection to read:

14 (i) Money in the power project fund may be used by the legisla-
15 ture to make appropriations for costs of administering the fund.

16 * Sec. 105. AS 44.83 is amended by adding a new section to read:

17 Sec. 44.83.215. ACCOUNTING FOR AND DISPOSITION OF MONEY
18 COLLECTED. The commissioner of administration shall separately
19 account for money collected by the authority under its transmission,
20 power sales, waste heat, and lease agreements and any other revenue
21 generated in the performance of the authority's responsibilities and
22 which is not accounted for under AS 44.83.398. The annual estimated
23 balance in the accounts may be used by the legislature to make
24 appropriations to the authority for the general purposes of this
25 chapter.

26 * Sec. 106. AS 44.83.361 is amended by adding a new subsection to read:

27 (g) Money in the rural electrification revolving loan fund may
28 be used by the legislature to make appropriations for costs of ad-
29 ministering the fund.

1 * Sec. 107. AS 44.83.398 is amended by adding a new subsection to read:

2 (j) The commissioner of administration shall separately account
3 for money collected by the Alaska Power Authority under this section
4 and deposited in the general fund. The annual estimated balance in
5 the account may be used by the legislature to make appropriations to
6 the authority for the purposes of this chapter.

7 * Sec. 108. AS 45.87.010 is amended by adding a new subsection to read:

8 (b) Money in the fund may be used by the legislature to make
9 appropriations for costs of administering this chapter.

10 * Sec. 109. AS 45.87.020(c) is amended to read:

11 (c) Repayments of the principal, the interest, and the money
12 chargeable to principal or interest that is collected through liq-
13 uidation by foreclosure or other process on a loan made under this
14 chapter [FROM THE BULK FUEL REVOLVING LOAN FUND] shall be paid [BY THE
15 COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT] into the bulk fuel
16 revolving loan fund.

17 * Sec. 110. AS 45.87.060 is amended to read:

18 Sec. 45.87.060. REGULATIONS. The department may [SHALL] adopt
19 regulations necessary to carry out the provisions of [TO IMPLEMENT]
20 this chapter, including regulations to establish reasonable fees for
21 services provided and charges for collecting the fees.

22 * Sec. 111. AS 45.87 is amended by adding a new section to read:

23 Sec. 45.87.065. FEES. The department may collect the fees and
24 collection charges established under AS 45.87.060 and shall deposit
25 the money in the general fund. The commissioner of administration
26 shall separately account for all fees and collection charges that the
27 department deposits in the general fund. The annual estimated balance
28 in the account may be used by the legislature to make appropriations
29 to the department to carry out the purposes of this chapter.

1 * Sec. 112. AS 45.88.010 is amended by adding a new subsection to read:
2 (b) Money in the fund may be used by the legislature to make
3 appropriations for costs of administering this chapter.

4 * Sec. 113. AS 45.88.020(a) is amended to read:

5 (a) The department may

6 (1) make loans for the purchase, construction, and instal-
7 lation of alternative energy systems;

8 (2) adopt regulations necessary to carry out the provisions
9 of this chapter, including regulations to establish reasonable fees
10 for services provided and charges for collecting the fees;

11 (3) collect the fees and collection charges established
12 under this subsection.

13 * Sec. 114. AS 45.88 is amended by adding a new section to read:

14 Sec. 45.88.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
15 commissioner of administration shall separately account for all fees
16 and collection charges that the department deposits in the general
17 fund. The annual estimated balance in the account may be used by the
18 legislature to make appropriations to the department to carry out the
19 purposes of this chapter.

20 * Sec. 115. AS 45.88.030(d) is amended to read:

21 (d) All principal and interest payments, and money chargeable to
22 principal or interest that is collected through liquidation by fore-
23 closure or other process on loans made under this chapter, shall be
24 paid into the alternative [TECHNOLOGY AND] energy revolving loan fund.

25 * Sec. 116. AS 45.89.010 is amended by adding a new subsection to read:

26 (b) Money in the fund may be used by the legislature to make
27 appropriations for costs of administering this chapter.

28 * Sec. 117. AS 45.89.030(h) is amended to read:

29 (h) All principal and interest payments, and money chargeable to

1 principal or interest that is collected through liquidation by fore-
2 closure or other process [AMOUNTS REPAID] on a loan made under this
3 chapter, [SECTION] shall be paid into [DEPOSITED TO] the residential
4 energy conservation fund.

5 * Sec. 118. AS 45.89.070 is amended to read:

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

10 * Sec. 119. AS 45.89 is amended by adding a new section to read:

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

18 * Sec. 120. AS 45.90.010 is amended to read:

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

25 * Sec. 121. AS 45.90.010 is amended by adding a new subsection to read:

26 (b) Money in the fund may be used by the legislature to make
27 appropriations for costs of administering this chapter.

28 * Sec. 122. AS 45.90.020(a) is amended to read:

29 (a) The department may

- 1 (1) make loans to a business directly involved in the
2 tourist industry;
- 3 (2) designate agents and delegate powers to them as is
4 necessary;
- 5 (3) adopt regulations necessary to carry out its functions,
6 including regulations to establish reasonable fees for services pro-
7 vided and charges for collecting the fees;
- 8 (4) establish amortization plans for the repayment of loans
9 not to exceed 20 years;
- 10 (5) collect the fees and collection charges established
11 under this subsection.

12 * Sec. 123. AS 45.90 is amended by adding a new section to read:

13 Sec. 45.90.023. 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. 124. AS 45.95.010(a) is amended to read:

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

1 * Sec. 125. AS 45.95.020(d) is amended to read:

2 (d) Money loaned shall be delivered to the borrower in the form
3 of a warrant drawn on the treasury, vouchered in the manner prescribed
4 for state disbursing officers, and charged against the small business
5 revolving loan fund. Each voucher shall be approved by the commis-
6 sioner or a [ANY] bonded deputy authorized to act as a certifying
7 officer. Upon repayment of loans by installments, or otherwise, in
8 accordance with the prescribed terms, or upon liquidation by foreclo-
9 sure or other process, or upon receipt of interest [OR OTHER REVENUE],
10 the money so received shall be turned over to the commissioner of
11 revenue for deposit in the small business revolving loan fund.

12 * Sec. 126. AS 45.95.060 is amended by adding a new subsection to read:

13 (b) Money in the fund may be used by the legislature to make
14 appropriations for costs of administering this chapter.

15 * Sec. 127. AS 45.98.010 is amended to read:

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

23 (b) Money in the fund may be used by the legislature to make
24 appropriations for costs of administering this chapter.

25 * Sec. 128. 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 and
8 charges for collecting the fees;

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

11 (5) collect the fees and collection charges established
12 under this section.

13 * Sec. 129. AS 45.98 is amended by adding a new section to read:

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

20 * Sec. 130. AS 47.05.070 is amended by adding a new subsection to read:

21 (e) The commissioner of administration shall separately account
22 for third-party collections that the department deposits in the gener-
23 al fund. The annual estimated balance in the account may be used by
24 the legislature to make appropriations to the department to carry out
25 the purposes of AS 47.07.

26 * Sec. 131. AS 47.05 is amended by adding a new section to read:

27 Sec. 47.05.080. RETENTION OF OVERPAYMENTS COLLECTED. (a)
28 Benefit overpayments collected by the department in administering
29 programs under AS 47.25.120 - 47.25.300 (general relief),

1 AS 47.25.310 - 47.25.420 (aid to families with dependent children),
2 AS 47.25.430 - 47.25.615 (adult public assistance), and AS 47.25.975 -
3 47.25.990 (food stamps) shall be remitted to the Department of Revenue
4 under AS 37.10.050(a).

5 (b) The commissioner of administration shall separately account
6 for overpayment collections that the department deposits in the gener-
7 al fund. The annual estimated balance in the account may be used by
8 the legislature to make appropriations to the department for costs of
9 administering the programs listed in (a) of this section.

10 * Sec. 132. Notwithstanding AS 37.10.050(a), as amended by sec. 1, ch.
11 138, SLA 1986, a fee charged by an agency under a regulation that was
12 adopted before July 1, 1987, under authority of a statute that does not
13 expressly authorize a charge for a service, is valid if it would have been
14 valid before the 1986 amendment of AS 37.10.050(a). The regulation and fee
15 remain in effect, and the agency may charge for the service, until the
16 regulation is repealed or amended by the agency. To amend the regulation
17 to change the fee, the agency shall meet the standard of AS 37.10.050(a) as
18 amended in sec. 74 of this Act.

19 * Sec. 133. AS 10.15.535, 10.15.540; AS 37.05.500(a)(1), 37.05.500-
20 (a)(4), 37.05.500(a)(6); AS 42.05.661; AS 44.83.195(c); and
21 AS 46.03.020(12) and 46.03.025 are repealed.

22 * Sec. 134. Section 130 of this Act, dealing with fees charged under a
23 regulation adopted before July 1, 1987, is retroactive to July 1, 1987.

24 * Sec. 135. This Act takes effect immediately under AS 01.10.070(c).