

**SENATE CS FOR HOUSE BILL NO. 126 (STATE AFFAIRS)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 4/5/91**  
**Referred: Finance**

**Sponsor(s): HOUSE FINANCE COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act making technical amendments to program receipts provisions in the Alaska  
2 Statutes as recommended by the revisor of statutes in order to conform the statutes to  
3 ch. 36, SLA 1990; and providing for an effective date."

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

5 \* Section 1. AS 02.15.130 is amended to read:

6           Sec. 02.15.130. ASSISTANCE TO THE FEDERAL GOVERNMENT,  
7 MUNICIPALITIES AND OTHER PERSONS. The department may make available its  
8 engineering, maintenance, and other services, with or without charge, to the federal government,  
9 or to a municipality or person in connection with the planning, acquisition, construction,  
10 improvement, maintenance, or operation of airports or air navigation facilities. [THE  
11 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR MONEY  
12 THAT IS GENERATED BY THE PROVISION OF SERVICES TO NONSTATE ENTITIES  
13 UNDER THIS SECTION AND THAT THE DEPARTMENT DEPOSITS IN THE GENERAL  
14 FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY

1 THE LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO CARRY  
2 OUT THE PURPOSES OF THIS SECTION.]

3 \* Sec. 2. AS 04.11.590(c) is amended to read:

4 (c) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
5 ACCOUNT FOR ALL APPLICATION FEES, LICENSE FEES, AND CIVIL FINES  
6 COLLECTED UNDER THIS TITLE THAT THE DEPARTMENT OF REVENUE DEPOSITS  
7 IN THE GENERAL FUND.] The annual estimated balance in the account maintained by the  
8 commissioner of administration under AS 37.05.142 may be used by the legislature to make  
9 appropriations to the Department of Revenue to carry out the purposes of AS 04.06.

10 \* Sec. 3. AS 08.54.470(d) is amended to read:

11 (d) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
12 ACCOUNT FOR COMMERCIAL USE PERMIT FEES DEPOSITED IN THE GENERAL  
13 FUND BY THE DEPARTMENT.] The annual estimated balance in the account maintained by  
14 the commissioner of administration under AS 37.05.142 may be used by the legislature to  
15 make appropriations to the Department of Fish and Game and the Department of Public Safety  
16 to carry out their respective responsibilities for management of game resources and enforcement  
17 of game laws.

18 \* Sec. 4. AS 14.07.059(d) is amended to read:

19 (d) The department shall deposit in the Alaska school activities fund all fees, including  
20 membership fees and activity and events fees collected by the Alaska School Activities  
21 Association. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
22 ACCOUNT FOR THE DEPOSITS INTO THE FUND. THE ANNUAL ESTIMATED  
23 BALANCE IN THE FUND MAY BE USED BY THE LEGISLATURE TO MAKE  
24 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS  
25 SECTION.]

26 \* Sec. 5. AS 14.20.020(e) is amended to read:

27 (e) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
28 ACCOUNT FOR TEACHER CERTIFICATION FEES THAT THE DEPARTMENT DEPOSITS  
29 IN THE GENERAL FUND.] The annual estimated balance in the account maintained by the  
30 commissioner of administration under AS 37.05.142 may be used by the legislature to make  
31 appropriations to the department to carry out the purposes of this section and to support the

1 activities of the Professional Teaching Practices Commission under AS 14.20.460, 14.20.470, and  
2 14.20.500.

3 \* Sec. 6. AS 18.50.225(d) is amended to read:

4 (d) [THE STATE REGISTRAR SHALL DEPOSIT FEES RECEIVED UNDER (A) OF  
5 THIS SECTION IN THE GENERAL FUND. THE COMMISSIONER OF ADMINISTRATION  
6 SHALL SEPARATELY ACCOUNT FOR MONEY DEPOSITED UNDER THIS SUBSECTION.]

7 The legislature may use the annual estimated balance of the account maintained by the  
8 commissioner of administration under AS 37.05.142 to make an appropriation to the Alaska  
9 children's trust fund established under AS 37.14.200.

10 \* Sec. 7. AS 18.62.030 is amended to read:

11 Sec. 18.62.030. FEE. When submitting an application, an applicant shall pay a fee of  
12 \$40 for a certificate valid for one year or \$75 for a certificate valid for three years.\* [THE  
13 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR  
14 CERTIFICATE OF FITNESS FEES THAT THE DEPARTMENT OF LABOR DEPOSITS IN  
15 THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY  
16 BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT  
17 TO CARRY OUT THE PURPOSES OF THIS CHAPTER.]

18 \* Sec. 8. AS 18.70.080(b) is amended to read:

19 (b) The commissioner of public safety may establish by regulation and the department  
20 may charge reasonable fees for fire and life safety plan checks made to determine compliance  
21 with regulations adopted under (a)(2) of this section. [THE COMMISSIONER OF  
22 ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR FEES COLLECTED UNDER  
23 THIS SUBSECTION THAT THE DEPARTMENT OF PUBLIC SAFETY DEPOSITS IN THE  
24 GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE  
25 USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO  
26 CARRY OUT THE PURPOSES OF THIS CHAPTER.]

27 \* Sec. 9. AS 18.70.310(d) is amended to read:

28 (d) The Department of Public Safety shall establish a fee schedule to fully compensate  
29 for the costs of enforcement of, and placards provided under, this section. Fees collected under  
30 this subsection shall be deposited in the general fund. [THE COMMISSIONER OF  
31 ADMINISTRATION SHALL ACCOUNT SEPARATELY FOR FEES COLLECTED AND

1 DEPOSITED UNDER THIS SUBSECTION. THE ANNUAL ESTIMATED BALANCE IN THE  
2 ACCOUNT MAY BE APPROPRIATED BY THE LEGISLATURE TO THE DEPARTMENT  
3 OF PUBLIC SAFETY TO CARRY OUT THE PURPOSES OF THIS SECTION.]

4 \* Sec. 10. AS 19.25.200(a) is amended to read:

5 (a) An encroachment may be constructed, placed, changed, or maintained across or along  
6 a highway, but only in accordance with regulations adopted by the department. An encroachment  
7 may not be constructed, placed, maintained, or changed until it is authorized by a written permit  
8 issued by the department, unless the department provides otherwise by regulation. The  
9 department may charge a fee for a permit issued under this section. [THE COMMISSIONER  
10 OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR ENCROACHMENT  
11 PERMIT FEES THAT THE DEPARTMENT DEPOSITS IN THE GENERAL FUND. THE  
12 ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY THE  
13 LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT  
14 THE PURPOSES OF THIS SECTION.]

15 \* Sec. 11. AS 25.27.125(b) is amended to read:

16 (b) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
17 ACCOUNT FOR THE STATE SHARE OF PAYMENTS MADE BY OBLIGORS UNDER  
18 AS 25.27.120 THAT THE AGENCY COLLECTS AND DEPOSITS IN THE GENERAL  
19 FUND.] The annual estimated balance in the account maintained by the commissioner of  
20 administration under AS 37.05.142 may be used by the legislature to make appropriations to  
21 the Department of Health and Social Services to carry out the purposes of AS 47.10.230 -  
22 47.10.260 and AS 47.25.31 - 47.25.420.

23 \* Sec. 12. AS 26.05.230(b) is amended to read:

24 (b) The armory of each battalion, company, or other unit is subject to the order of the  
25 adjutant general and under the charge of its armory board which shall keep in the armory all  
26 property furnished by the state. Except for scout battalions organized under special authority of  
27 the Secretary of the Army, a unit may not be furnished with arms or equipment until a suitable  
28 armory is provided for their deposit. Subject to regulations adopted by the adjutant general, an  
29 armory may be used for any reasonable and legitimate civilian activity so long as the activity  
30 does not interfere with its use for military purposes. Proceeds received as rental or otherwise at  
31 an armory from nonmilitary use shall be deposited in the general fund. [THE COMMISSIONER

1 OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR FACILITIES RENTAL  
2 FEES THAT ARE DEPOSITED IN THE GENERAL FUND UNDER THIS SUBSECTION.  
3 THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY THE  
4 LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT OF MILITARY  
5 AND VETERANS' AFFAIRS TO CARRY OUT THE PURPOSES OF THIS SECTION.]

6 \* Sec. 13. AS 28.10.421(f) is amended to read:

7 (f) In addition to the fees imposed under (b) and (d) of this section, the following special  
8 annual registration fee is imposed upon renewal of registration for a passenger vehicle, motor  
9 home, pick-up truck, or a van with special request Winter Olympics commemorative plates . .  
10 . \$30; [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT  
11 FOR THE FEES RECEIVED UNDER THIS SUBSECTION THAT THE DEPARTMENT  
12 DEPOSITS IN THE GENERAL FUND;] the annual estimated balance in the account maintained  
13 by the commissioner of administration under AS 37.05.142 may be appropriated by the  
14 legislature to the Alaska amateur sports fund established under AS 05.35.150.

15 \* Sec. 14. AS 33.30.031(e) is amended to read:

16 (e) The commissioner may enter into an agreement with the United States, another state,  
17 a municipality of this state, or another state agency, to provide a correctional facility for the  
18 custody, care, and discipline of a person held under authority of the law of that jurisdiction.  
19 [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR  
20 PAYMENTS RECEIVED FOR THE SERVICES PROVIDED UNDER THIS SECTION 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  
23 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS  
24 SECTION.]

25 \* Sec. 15. AS 38.09.020(b) is amended to read:

26 (b) An applicant for a homestead entry permit shall personally stake the corners and flag  
27 the boundaries of the land entered under this chapter and shall personally file with the  
28 commissioner a description of the land entered. A homestead entry shall be described by aliquot  
29 parts unless otherwise permitted by the commissioner. The commissioner may require the  
30 applicant to establish a deposit for the costs of survey before issuing the homestead entry permit.  
31 [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR

1 MONEY RECEIVED UNDER THIS SUBSECTION THAT THE COMMISSIONER DEPOSITS  
2 IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT  
3 MAY BE APPROPRIATED BY THE LEGISLATURE TO CARRY OUT THE PURPOSES OF  
4 THIS SECTION.]

5 \* Sec. 16. AS 41.23.470(e) is amended to read:

6 (e) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
7 ACCOUNT FOR FUNDS COLLECTED UNDER THIS SECTION AND DEPOSITED IN THE  
8 GENERAL FUND.] The annual estimated balance in the account maintained by the  
9 commissioner of administration under AS 37.05.142 may be appropriated by the legislature  
10 to the department to carry out the purposes of AS 41.23.400 - 41.23.510.

11 \* Sec. 17. AS 43.50.350 is amended to read:

12 Sec. 43.50.350. DISPOSITION OF PROCEEDS. The tax collected by the department  
13 shall be deposited in the general fund. [THE COMMISSIONER OF ADMINISTRATION  
14 SHALL SEPARATELY ACCOUNT FOR THE TAXES THAT ARE DEPOSITED IN THE  
15 GENERAL FUND UNDER THIS SECTION.] The annual estimated balance in the account  
16 maintained by the commissioner of administration under AS 37.05.142 may be used by the  
17 legislature to make appropriations for health care, health research, health promotion, and health  
18 education programs.

19 \* Sec. 18. AS 44.37.025(b) is amended to read:

20 (b) The department shall prescribe and account for recording fees and do all other things  
21 necessary to maintain the recording systems established under the laws of this state. [THE  
22 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR FEES  
23 COLLECTED UNDER THIS SECTION THAT THE DEPARTMENT OF NATURAL  
24 RESOURCES DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED  
25 BALANCE IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE  
26 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS  
27 SECTION.]

28 \* Sec. 19. AS 44.41.020(a) is amended to read:

29 (a) The Department of Public Safety shall administer functions relative to the protection  
30 of life and property. The department may enter into agreements with nonprofit organizations and  
31 federal and local government agencies to train personnel of those agencies in the protection of

1 life and property. The department may charge a reasonable fee for services provided under  
2 a training agreement. [THE COMMISSIONER OF ADMINISTRATION SHALL  
3 SEPARATELY ACCOUNT FOR TRAINING FEES RECEIVED UNDER TRAINING  
4 AGREEMENTS AND THAT THE DEPARTMENT DEPOSITS IN THE GENERAL FUND.  
5 THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED BY THE  
6 LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT  
7 THE PURPOSES OF THIS SECTION.]

8 \* Sec. 20. AS 44.41.020(b) is amended to read:

9 (b) The department may enter into agreements with federal and local government  
10 agencies to provide a statewide criminal justice information system. Reasonable fees may be  
11 charged by the department to cover the costs of providing services under these agreements,  
12 including maintenance of terminal hardware and network connect charges. [THE  
13 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR THE  
14 CRIMINAL JUSTICE INFORMATION SYSTEM FEES THAT THE DEPARTMENT OF  
15 PUBLIC SAFETY DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED  
16 BALANCE IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE  
17 APPROPRIATIONS TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS  
18 SECTION.]

19 \* Sec. 21. AS 44.41.025(b) is amended to read:

20 (b) The commissioner of public safety may establish by regulation and the Department  
21 of Public Safety may charge a reasonable fee to be paid by a person requesting information from  
22 the Alaska automated fingerprint system and by a person submitting fingerprints under (d) of this  
23 section. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT  
24 FOR FEES COLLECTED UNDER THIS SECTION THAT THE DEPARTMENT OF PUBLIC  
25 SAFETY DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE  
26 IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS  
27 TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS SECTION.]

28 \* Sec. 22. AS 44.62.175(d) is amended to read:

29 (d) The lieutenant governor shall sell individual copies of and subscriptions to the journal  
30 at a price reasonably calculated to offset the cost of publication and distribution. [THE  
31 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR MONEY

1 COLLECTED UNDER THIS SUBSECTION THAT THE LIEUTENANT GOVERNOR  
2 DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE  
3 ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO  
4 THE OFFICE OF THE LIEUTENANT GOVERNOR TO CARRY OUT THE PURPOSES OF  
5 THIS SECTION.]

6 \* Sec. 23. AS 46.03.032(n) is amended to read:

7 (n) State appropriations in excess of the amount required by the federal Clean Water Act,  
8 as amended by P.L. 100-4, shall be accounted for separately. Repayments of principal from  
9 loans from these amounts shall be deposited in the Alaska clean water fund. Payments of  
10 interest from loans made from these amounts and earnings on these amounts shall be deposited  
11 in the general fund. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
12 ACCOUNT FOR THE INTEREST PAYMENTS AND EARNINGS THAT THE DEPARTMENT  
13 OF ENVIRONMENTAL CONSERVATION DEPOSITS IN THE GENERAL FUND.]

14 \* Sec. 24. AS 46.03.375(b) is amended to read:

15 (b) The division shall establish fees applicable to certification under this section in an  
16 amount necessary to cover the costs of the certification program. The fees shall be collected by  
17 the division. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
18 ACCOUNT FOR FEES DEPOSITED IN THE GENERAL FUND BY THE DEPARTMENT OF  
19 COMMERCE AND ECONOMIC DEVELOPMENT UNDER THIS SUBSECTION. THE  
20 LEGISLATURE MAY APPROPRIATE THE ANNUAL ESTIMATED BALANCE OF THE  
21 ACCOUNT TO THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT  
22 FOR OPERATION OF THE CERTIFICATION PROGRAM.]

23 \* Sec. 25. AS 46.03.385(e) is amended to read:

24 (e) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
25 ACCOUNT FOR MONEY DEPOSITED IN THE GENERAL FUND BY THE DEPARTMENT  
26 UNDER THIS SECTION.] The legislature may appropriate the annual estimated balance of the  
27 account maintained by the commissioner of administration under AS 37.05.142 to the storage  
28 tank assistance fund established under AS 46.03.410.

29 \* Sec. 26. AS 46.03.410(a) is amended to read:

30 (a) There is established the storage tank assistance fund. It consists of money  
31 appropriated to it by law. The department shall deposit earnings on money in the fund in

1        the general fund [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
2        ACCOUNT FOR EARNINGS ON MONEY IN THE FUND THAT ARE DEPOSITED IN THE  
3        GENERAL FUND BY THE DEPARTMENT]. The legislature may use the estimated balance  
4        in the account maintained by the commissioner of administration under AS 37.05.142 to  
5        make appropriations to the fund.

6        \* **Sec. 27.** AS 46.03.420(i) is amended to read:

7                (i) [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
8        ACCOUNT FOR MONEY DEPOSITED BY THE DEPARTMENT UNDER THIS SECTION.]  
9        The legislature may appropriate the annual estimated balance of the account maintained by the  
10        commissioner of administration under AS 37.05.142 to the storage tank assistance fund  
11        established under AS 46.03.410.

12        \* **Sec. 28.** AS 05.15.025; AS 06.01.045; AS 08.01.065(e); AS 10.06.858(b); AS 10.15.563;  
13 AS 10.20.643; AS 10.25.530(c); AS 10.35.075; AS 10.40.140(c); AS 14.07.035; AS 14.48.090(b);  
14 AS 16.05.826(d); AS 16.43.105; AS 16.51.160(b); AS 18.50.330(b); AS 18.60.950; AS 19.05.046;  
15 AS 21.06.260; AS 23.05.070; AS 28.05.021(b); AS 28.10.431(i); AS 28.15.271(d); AS 34.45.370(b);  
16 AS 34.55.020(g); AS 36.30.730(f); AS 38.05.073(s); AS 39.30.096; AS 39.45.021; AS 41.08.025;  
17 AS 41.21.030(b); AS 42.05.651(b); AS 42.06.610(c); AS 42.30.225(f); AS 43.10.037; AS 44.21.410(c);  
18 AS 44.29.022(c), 44.29.220(b); AS 44.33.022, 44.33.120(c), 44.33.730(b); AS 44.88.420(b);  
19 AS 45.09.409; AS 45.55.265; AS 47.10.120(d); AS 47.30.910(g); AS 47.55.020(d), 47.55.030(e); and  
20 AS 47.80.150(g) are repealed.

21        \* **Sec. 29.** This Act takes effect immediately under AS 01.10.070(c).