

**SENATE CS FOR CS FOR HOUSE BILL NO. 572 (FINANCE)**

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

**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE SENATE FINANCE COMMITTEE**

**Offered: 5/12/92**

**Referred: Rules**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the powers, duties, and operations of certain state agencies, including  
2 those of the Alaska Science and Technology Foundation, those of the Citizen's Advisory  
3 Commission on the Federal Areas in Alaska, the disposal or leasing of state land or  
4 interests in state land, the management of public recreational land and the management  
5 of state parks and recreation areas, vehicle registration, small procurements, the employment  
6 assistance and training program fund, contracts for confinement of certain prisoners, and  
7 the recording of public documents; and providing for an effective date."

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

9 \* Section 1. AS 05.10.070 is amended to read:

10           Sec. 05.10.070. APPLICATION FOR LICENSE. A club, corporation, organization,  
11           association, or fraternal society affected by this chapter may apply to the commission for a  
12           license. An application must be in writing and upon a form prescribed by the commission and  
13           must be verified in the manner the commission requires and accompanied by an annual license

1        **fee set by the commission by regulation under AS 05.10.125 [OF \$100].**

2        \* **Sec. 2.** AS 05.10.120(a) is amended to read:

3                (a) The commission may grant annual licenses upon application in compliance with the  
4        regulations adopted by the commission and the payment of the fees prescribed **by regulation**  
5        **under AS 05.10.125** for managers, referees, examining physicians, boxers, wrestlers, seconds,  
6        and trainers.

7        \* **Sec. 3.** AS 05.10 is amended by adding a new section to read:

8                Sec. 05.10.125. FEES. The commission shall establish by regulation the fees for licenses  
9        issued by the commission under this chapter.

10       \* **Sec. 4.** AS 06.01.010 is amended by adding a new subsection to read:

11                (g) The commissioner may establish by regulation a fee for the filing of an application  
12        required by this title. The fee is in addition to investigation expenses that **may be charged to the**  
13        applicant.

14       \* **Sec. 5.** AS 06.20.030(b) is amended to read:

15                (b) An applicant shall pay to the department at the time of submitting an application a  
16        sum, in addition to that specified in (a) of this section, **set by the commissioner by regulation**  
17        **[OF \$200]** as an annual license fee for a period terminating on the last day of the current  
18        calendar year. If the application is filed after June 30, **an [THE] additional sum set by the**  
19        **commissioner by regulation shall be paid to the department [IS \$100].**

20       \* **Sec. 6.** AS 06.30.815 is amended to read:

21                Sec. 06.30.815. FEE FOR FILING COPY OF CHARTER OF FEDERAL SAVINGS  
22        AND LOAN. A fee **set by the commissioner under AS 06.01.010** [OF \$10] shall accompany  
23        each copy of the charter of a federal savings and loan association or certificate showing the  
24        organization by conversion.

25       \* **Sec. 7.** AS 06.30.820 is amended to read:

26                Sec. 06.30.820. FEE FOR APPROVAL BY COMMISSIONER. The commissioner may  
27        charge a fee **set by regulation under AS 06.01.010** for [OF NOT EXCEEDING \$10 UPON]  
28        each application submitted for the commissioner's approval **under [, AS PROVIDED BY]** this  
29        chapter.

30       \* **Sec. 8.** AS 06.40.040 is amended to read:

31                Sec. 06.40.040. ANNUAL LICENSE FEE. On or before December 20 of each year, each

1 licensee shall pay a fee established by the department by regulation [OF \$200] to the  
2 department as an annual license fee for the next succeeding calendar year. At that same time the  
3 licensee shall file with the department a new bond that complies with AS 06.40.030.

4 \* Sec. 9. AS 08.01.065(c) is repealed and reenacted to read:

5 (c) The department shall establish fee levels under (a) of this section so that the total  
6 amount of fees collected for an occupation approximately equals the actual regulatory costs for  
7 the occupation. The department shall annually review each fee level to determine whether the  
8 regulatory costs of each occupation are approximately equal to fee collections related to that  
9 occupation. If the review indicates that an occupation's fee collections and regulatory costs are  
10 not approximately equal, the department shall calculate fee adjustments and adopt regulations  
11 under (a) of this section to implement the adjustments. In January of each year, the department  
12 shall report on all fee levels and revisions for the previous year under this subsection to the office  
13 of management and budget. If a board regulates an occupation covered by this chapter, the  
14 department shall consider the board's recommendations concerning the occupation's fee levels  
15 and regulatory costs before revising fee schedules to comply with this subsection. In this  
16 subsection, "regulatory costs" means costs of the department that are attributable to regulation  
17 of an occupation plus

18 (1) all expenses of the board that regulates the occupation if the board regulates  
19 only one occupation;

20 (2) the expenses of a board that are attributable to the occupation if the board  
21 regulates more than one occupation.

22 \* Sec. 10. AS 10.06.843 is repealed and reenacted to read:

23 Sec. 10.06.843. REGULATIONS RELATING TO FEES. (a) The department shall  
24 establish by regulation the fees specified or authorized in this chapter.

25 (b) The filing fee for a document not otherwise provided in this chapter shall be  
26 established by the department by regulation.

27 (c) The department may by regulation charge a corporation subject to this chapter a fixed  
28 fee, for routine administrative services rendered to a corporation by the department, that is in  
29 place of the fees specified in this chapter. However, a fixed fee under this subsection may not  
30 include the fees specified under AS 10.06.140 and 10.06.828, or the tax under AS 10.06.845.

31 \* Sec. 11. AS 14.48.090(a) is repealed and reenacted to read:

1 (a) The commission shall establish by regulation and collect fees for

2 (1) authorization to operate;

3 (2) renewal of authorization to operate;

4 (3) an agent's permit; and

5 (4) renewal of an agent's permit.

6 \* Sec. 12. AS 15.13.030 is amended to read:

7 Sec. 15.13.030. DUTIES OF THE COMMISSION. The commission shall

8 (1) develop and provide all forms for the reports and statements required to be  
9 made under this chapter, AS 24.45, and AS 39.50;

10 (2) prepare and publish a manual setting out uniform methods of bookkeeping and  
11 reporting for use by persons required to make reports and statements under this chapter and  
12 otherwise assist candidates, groups, and individuals in complying with the requirements of this  
13 chapter;

14 (3) receive and hold open for public inspection reports and statements required  
15 to be made under this chapter and, upon request, furnish copies at cost to interested persons;

16 (4) compile and maintain a current list of all filed reports and statements;

17 (5) prepare a summary of each report filed under AS 15.13.110 and make copies  
18 of this summary available to interested persons at their actual cost;

19 (6) notify, by registered or certified mail, all persons who are delinquent in filing  
20 reports and statements required to be made under this chapter;

21 (7) report within 60 days after the election the names of all persons and groups  
22 who have failed to comply with any of the provisions of this chapter to the office of the attorney  
23 general;

24 (8) examine, investigate, and compare all reports, statements, and actions required  
25 by this chapter, AS 24.45, and AS 39.50 and report to the attorney general the names of all  
26 persons or groups that [WHICH] the commission has substantial reason to believe have violated  
27 this chapter, AS 24.45, or AS 39.50;

28 (9) prepare and publish a biennial report to the legislature concerning the activities  
29 of the commission, the effectiveness of this chapter, its enforcement by the attorney general's  
30 office, and recommendations and proposals for change;

31 (10) adopt regulations necessary to implement and clarify the provisions of

1 AS 24.45, AS 39.50, and this chapter, subject to the provisions of the Administrative Procedure  
2 Act (AS 44.62);

3 (11) establish by regulation a schedule of fees for reports, statements, and  
4 filings and for services performed by the commission; a fee established under this  
5 paragraph should reflect, but should not exceed, the actual costs to the commission of the  
6 activity for which the fee is charged.

7 \* Sec. 13. AS 16.05.340(a) is amended to read:

8 (a) Fees for licenses and tags are as follows:

9 (1) Resident sport fishing license . . . . . \$ 15 [10]

10 However, the fee is 25 cents for a resident who is blind.

11 (2) Resident hunting license . . . . . 25 [12]

12 (3) Resident hunting and trapping license . . . . . 40 [22]

13 (4) Resident trapping license . . . . . 15 [10]

14 (5) Resident hunting and sport fishing license . . . . . 40 [22]

15 (6) Resident hunting, trapping, and sport fishing license . . . . . 55 [32];

16 (A) however, the fee is \$5 for an applicant who

17 (i) is receiving or has received assistance during the preceding six  
18 months under any state or federal welfare program to aid the indigent, or

19 (ii) has an annual family gross income of less than \$8,200 for the  
20 year preceding application;

21 (B) a person paying \$5 for a resident hunting, trapping, and sport fishing  
22 license must provide proof of eligibility under this paragraph when requested by the  
23 departments.

24 (7) Nonresident special sport fishing license - valid for the period inscribed on  
25 the license

26 (A) For 14-day license . . . . . \$ 30

27 (B) For three-day license . . . . . 15

28 (C) For one-day license . . . . . 10

29 (8) Nonresident sport fishing license . . . . . 50

30 (9) Nonresident hunting license . . . . . 85

31 (10) Nonresident hunting and sport fishing license . . . . . 135

1 A nonresident may not take a big game animal without previously purchasing a numbered,  
2 nontransferable, appropriate tag, issued under (15) of this subsection. The tag must be affixed  
3 to the animal immediately upon capture and must remain affixed until the animal is prepared for  
4 storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy  
5 the tagging requirement for an animal of any other species for which the tag fee is of equal or  
6 less value.

- 7 (11) Nonresident hunting and trapping license ..... \$250  
8 (12) Fur dealers  
9 (A) Resident fur dealer biennial license ..... 150  
10 (B) Nonresident fur dealer biennial license ..... 500  
11 (13) Taxidermists  
12 (A) Resident taxidermy biennial license ..... 200  
13 (B) Nonresident taxidermy biennial license ..... 500  
14 (14) Aquatic farming triennial license ..... 400  
15 (15) Nonresident big game tags  
16 (A) Bear, black, each ..... 225  
17 (B) Bear, brown or grizzly, each ..... 500  
18 (C) Bison, each ..... 450  
19 (D) Caribou, each ..... 325  
20 (E) Deer, each ..... 150  
21 (F) Elk, each ..... 300  
22 (G) Goat, each ..... 300  
23 (H) Moose, each ..... 400  
24 (I) Sheep, each ..... 425  
25 (J) Wolf, each ..... 175  
26 (K) Wolverine, each ..... 175  
27 (L) Musk oxen, each ..... 1,100  
28 (16) Resident big game tags  
29 (A) Bear, brown or grizzly, each ..... \$25

30 The Board of Game may, by regulation effective for not more than one year, eliminate the  
31 resident brown or grizzly bear tag and fee for all or a portion of a game management unit.

1 (B) Musk oxen, each . . . . . 500

2 However, the Board of Game may by regulation reduce or eliminate the fee for a resident big  
3 game tag for musk oxen for an open season.

4 (17) Waterfowl conservation tag . . . . . 5

5 (A) A person may not engage in waterfowl hunting without having the  
6 current year's waterfowl tag in the person's actual possession, unless that person

7 (i) qualifies for a \$5 license fee under (6) of this subsection;

8 (ii) is a resident under the age of 16;

9 (iii) is 60 years of age or older and is a resident;

10 (iv) is a disabled veteran eligible for a free license under  
11 AS 16.05.341.

12 (B) The Board of Game shall by regulation exempt the requirement of a  
13 waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit  
14 from programs described in AS 16.05.130(b)(2) - (4).

15 (18) Game farming

16 (A) Game mammal or game reptile farming biennial license . . . \$250

17 (B) Game bird farming biennial license . . . . . 50

18 (19) Nonresident small game hunting license . . . . . 20

19 (20) Nonresident alien hunting license . . . . . 300

20 A nonresident alien may not take a big game animal without previously purchasing a numbered,  
21 nontransferable, appropriate tag, issued under (21) of this subsection. The tag must be affixed  
22 to the animal immediately upon capture and must remain affixed until the animal is prepared for  
23 storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy  
24 the tagging requirement for an animal of any other species for which the tag fee is of equal or  
25 less value.

26 (21) Nonresident alien big game tags

27 (A) Bear, black, each . . . . . \$300

28 (B) Bear, brown or grizzly, each . . . . . 650

29 (C) Bison, each . . . . . 650

30 (D) Caribou, each . . . . . 425

31 (E) Deer, each . . . . . 200

|   |   |       |
|---|---|-------|
| 1 | (F) Elk, each   | 400   |
| 2 | (G) Goat, each  | 400   |
| 3 | (H) Moose, each   | 500   |
| 4 | (I) Musk oxen, each                                     | 1,500 |
| 5 | (J) Sheep, each   | 550   |
| 6 | (K) Wolf, each  | 250   |
| 7 | (L) Wolverine, each                                     | 250   |
| 8 | (22) Chitina personal use salmon dip net fishing permit | 10    |
| 9 | (23) Resident king salmon tag                           | 10    |

10 A resident may not engage in sport fishing for king salmon without having the current year's  
 11 king salmon tag in the resident's actual possession, unless that person

- 12 (A) qualifies for a 25 cent license fee under (1) of this subsection;
- 13 (B) is under the age of 16;
- 14 (C) is 60 years of age or older and has been a resident of the state for at  
 15 least one year;
- 16 (D) is a disabled veteran eligible for a free license under AS 16.05.341;
- 17 or
- 18 (E) qualifies for a \$5 license fee under (6) of this subsection.

19 (24) Nonresident king salmon tag ..... **\$20**

20 **A nonresident may not engage in sport fishing for king salmon without having the current**  
 21 **year's king salmon tag in the person's actual possession.**

22 \* Sec. 14. AS 18.31.200 is amended by adding a new subsection to read:

- 23 (g) The Department of Labor shall adopt by regulation a fee schedule for
- 24 (1) review, approval, and certification of asbestos training certification programs
- 25 and plans under this section; and
- 26 (2) certification of a person employed to abate an asbestos health hazard.

27 \* Sec. 15. AS 18.65.310(a) is amended to read:

28 (a) Upon payment of a **\$10** [~~\$5~~] fee, the Department of Public Safety shall issue a card  
 29 identical to the motor vehicle operator's license provided for in AS 28.15.111, except that the  
 30 card shall be of a different color and shall state in bold type letters across the face of it that it  
 31 is for identification purposes only.

1 \* Sec. 16. AS 18.65.410 is amended to read:

2           Sec. 18.65.410. APPLICATIONS. Application for a license as a security guard or  
3 security guard agency shall [MUST] be made on forms provided by the commissioner. The  
4 application must require the furnishing of information reasonably required by the commissioner  
5 to carry out the provisions of AS 18.65.400 - 18.65.490, including classifiable fingerprints to  
6 enable the search of criminal indices for evidence of a prior criminal record. The application  
7 must be accompanied by a nonrefundable application fee set by the commissioner by regulation  
8 under AS 18.65.450 [OF \$50 FOR A SECURITY GUARD AND \$200 FOR A SECURITY  
9 GUARD AGENCY].

10 \* Sec. 17. AS 18.65.450 is amended to read:

11           Sec. 18.65.450. REGULATIONS. The commissioner shall adopt regulations necessary  
12 to implement AS 18.65.400 - 18.65.490, including provisions specifying the amount of bond or  
13 insurance required and the types of uniforms, badges, and insignia that may be used, and  
14 establishing the application fees for security guards and security guard agencies.

15 \* Sec. 18. AS 23.15.390 is amended to read:

16           Sec. 23.15.390. FEES. The fee for filing an application for a permit shall be set by the  
17 department by regulation adopted under AS 23.15.500 [IS \$10]. All fees shall be deposited  
18 in the general fund. In addition to paying this fee, all persons conducting employment agencies  
19 must comply with the provisions of AS 43.70 (Alaska Business License Act).

20 \* Sec. 19. AS 24.45.041(g) is amended to read:

21           (g) An application for registration as a lobbyist under (a) of this section or for renewal  
22 of a registration under (f) of this section is subject to a fee set by the commission by regulation  
23 [OF \$100]. The commission may not accept an application for registration or renew a  
24 registration until the fee is paid. This subsection does not apply to a volunteer lobbyist under  
25 AS 24.45.161 or a representational lobbyist under regulations of the commission.

26 \* Sec. 20. AS 28.10.161(b) is amended to read:

27           (b) Every [AFTER JANUARY 1, 1979, EVERY] passenger vehicle registration plate,  
28 except as specifically provided in AS 28.10.181, shall have displayed upon it

- 29                   (1) the Alaska flag;  
30                   (2) the traditional colors of yellow-gold and blue;  
31                   (3) the slogan "The Last Frontier";

- 1 (4) the registration number assigned to the vehicle for which it is issued;  
2 (5) the name of this state, which may be abbreviated; and  
3 (6) the registration year number or expiration date for which time it is validated;  
4 the registration year number or expiration date may be part of the license plate or contained on  
5 a suitable sticker or tab device issued by the department; however, only one sticker or tab  
6 device may be issued for each pair of plates and the sticker or tab device must be affixed  
7 to the rear plate.

8 \* Sec. 21. AS 33.30.031(a) is amended to read:

9 (a) The commissioner shall determine the availability of state correctional facilities  
10 suitable for the detention and confinement of persons held under authority of state law or under  
11 agreement entered into under (e) of this section. If the commissioner determines that suitable  
12 state correctional facilities are not available, the commissioner may enter into an agreement with  
13 a public or private entity [AGENCY] to provide necessary facilities. Correctional facilities  
14 provided through agreement with a public or private entity [AGENCY] may be in this state or  
15 in another state. [CORRECTIONAL FACILITIES PROVIDED THROUGH AGREEMENT  
16 WITH A PRIVATE AGENCY MUST BE LOCATED IN THIS STATE.] The commissioner  
17 may not enter into an agreement with an entity [AGENCY] unable to provide a degree of  
18 custody, care, and discipline similar to that required by the laws of this state. AS 33.36.020 and  
19 33.36.070 do not apply to contracts entered into under this section.

20 \* Sec. 22. AS 33.30.231 is amended by adding a new subsection to read:

21 (d) Notwithstanding (a) of this section, the department may contract under AS 36.30 for  
22 telephone services for use by a prisoner.

23 \* Sec. 23. AS 36.30.100(b) is amended to read:

24 (b) Competitive sealed bidding is not required

25 (1) when the commissioner determines in writing that food, clothing, or medical  
26 supplies, or supplies [MATERIALS] for use in laboratory or medical studies may be purchased  
27 otherwise to the best advantage of the state;

28 (2) [WHEN RATES ARE FIXED BY LAW OR ORDINANCE;

29 (3)] for the purchase of products or services manufactured or provided by an  
30 employment program; or

31 (3) [(4)] for the purchase of products or services provided by the correctional

1 industries program established under AS 33.32 [;

2 (5) FOR PROFESSIONAL SERVICES; OR

3 (6) FOR CONCESSIONS OPERATED ON STATE PROPERTY].

4 \* Sec. 24. AS 36.30.320(a) is amended to read:

5 (a) A procurement for supplies, services, or construction that does not exceed an  
6 aggregate dollar amount of \$25,000 [\$10,000] may be made in accordance with regulations  
7 adopted by the commissioner for small procurements.

8 \* Sec. 25. AS 36.30.850(b)(20) is amended to read:

9 (20) contracts for supplies or services for research projects or equipment funded  
10 by money received from the federal government or private grants;

11 \* Sec. 26. AS 36.30.850(b) is amended by adding new paragraphs to read:

12 (23) disposals of supplies acquired through foreclosure of loans issued under  
13 AS 03.10;

14 (24) purchases of curatorial and conservation services to maintain, preserve, and  
15 interpret

16 (A) objects of art; and

17 (B) items having cultural, historical, or archaeological significance to the  
18 state;

19 (25) acquisition of confidential seismic survey data necessary for pre-sale oil and  
20 gas lease analyses under AS 38.05.180;

21 (26) contracts for village public safety officers;

22 (27) purchases of supplies and services to support the operations of the Alaska  
23 state troopers or the division of fish and wildlife protection if the procurement officer for the  
24 Department of Public Safety makes a written determination that publicity of the purchases would  
25 jeopardize the safety of personnel or the success of a covert operation;

26 (28) expenditures when rates are set by law or ordinance;

27 (29) construction of new vessels by the Department of Transportation and Public  
28 Facilities for the Alaska marine highway system.

29 \* Sec. 27. AS 37.10.050(a) is amended to read:

30 (a) A state agency may not charge for [THE PROVISION OF] state services, materials,  
31 licenses, registrations, permits, application processing, the use of state facilities, or other

1        state activities unless the charge (1) is set or otherwise authorized by statute; and (2) where a  
2        regulation is necessary, is set by or provided for in a regulation that meets the standards of  
3        AS 44.62.020 and 44.62.030. A fee or other charge that is set by regulation may not exceed the  
4        estimated actual costs of the state agency in administering the activity or providing the service  
5        unless otherwise provided by the statute under which the regulation is adopted; this limitation  
6        does not apply to sales of property by a state agency. Unless specifically exempted by statute,  
7        a state agency authorized to collect or receive fees, licenses, taxes, or other money belonging to  
8        the state shall account for and remit the receipts, less fees to which the collector is entitled by  
9        statute or regulation, to the Department of Revenue at least once each month. The commissioner  
10       of administration shall separately account under AS 37.05.142 for receipts deposited under this  
11       subsection.

12    \* Sec. 28. AS 37.10.050 is amended by adding new subsections to read:

13            (d) Each state agency shall annually review fees and charges collected by the agency.  
14        If a fee that is set by an agency by regulation does not pay for the estimated actual costs of  
15        administering the activity or providing the service or material, the agency shall adjust the fee to  
16        that level. If an agency regulates an activity or provides a service or material and another agency  
17        is authorized to set fees by regulation for the costs of regulating the activity or providing the  
18        service or material, the other agency shall consider the recommendations of the agency regarding  
19        the setting of fee levels and adjustment of fee levels so that they comply with this subsection.  
20        If the adjustment of a fee results in a substantial increase, the agency may set a schedule to phase  
21        in the increase over a period of time. By October 1, each state agency shall submit a report to  
22        the office of management and budget regarding existing fee levels set by the agency by  
23        regulation and adjustments made to fee levels by the agency during the previous fiscal year, and  
24        recommended increases in fees set by statute that the agency collects. Each year by January 1,  
25        the office of management and budget shall submit a report to the Legislative Budget and Audit  
26        Committee summarizing the reports and recommendations. Within 30 days after the convening  
27        of each regular session of the legislature, the committee shall report to the legislature the status  
28        of fee regulations and make recommendations for statutory changes.

29            (e) In this section, "agency" means a board, commission, or agency in the legislative,  
30        judicial, or executive branch, but does not include the University of Alaska or a public  
31        corporation.

1 \* Sec. 29. AS 37.17.030(b) is amended to read:

2 (b) In addition to endowment income, the foundation may receive individual,  
3 foundation, or corporate gifts, grants, or bequests that by their terms are restricted to a  
4 particular purpose [AND OTHER AID]. The foundation may accumulate income, gifts, grants,  
5 and bequests [OTHER AID] from any one year and distribute them in a later year.

6 \* Sec. 30. AS 37.17.030(c) is amended to read:

7 (c) The administrative expenses of the foundation are subject to AS 37.07 and shall be  
8 paid from the income of the endowment. The legislature may appropriate income of the  
9 endowment for payment of the administrative expenses of the Alaska Aerospace  
10 Development Corporation established under AS 14.40.821 and the agricultural and forestry  
11 experiment station research centers of the University of Alaska.

12 \* Sec. 31. AS 38.05.057(d) is amended to read:

13 (d) To apply for participation in a lottery under this section an applicant shall

14 (1) be qualified under the applicable provisions of this section and certify that fact  
15 in the application; and

16 (2) pay a nonrefundable application fee [OF NOT MORE THAN \$25] for each  
17 application; the fee shall be set by the commissioner by regulation.

18 \* Sec. 32. AS 38.05.075(a) is amended to read:

19 (a) Except as provided in AS 38.05.035, 38.05.070, 38.05.073, 38.05.079, 38.05.082,  
20 38.05.083, 38.05.087, 38.05.102, 38.05.810, [AS 38.05.087] and this section, leasing shall be  
21 made at public auction to the highest qualified bidder as determined by the commissioner. In  
22 the public notice of a lease to be offered at public auction, the commissioner shall specify  
23 a minimum acceptable bid and the lease compensation method. The lease compensation  
24 method shall be designed to maximize the return on the lease to the state and shall be a  
25 form of compensation set out in AS 38.05.073(m). An aggrieved bidder may appeal to the  
26 commissioner within five days for a review of the determination. The leasing shall be conducted  
27 by the commissioner and the successful bidder shall deposit at the auction the first year's rental  
28 or other lease compensation as specified by the commissioner, or that portion of it that the  
29 commissioner requires in accordance with the bid. The commissioner shall require, under  
30 AS 38.05.860, qualified bidders to deposit a sum equal to any survey or appraisal costs  
31 reasonably incurred by another qualified bidder acting in accordance with the regulations of the

1 commissioner or incurred by the department under AS 38.04.045 and AS 38.05.840. If a  
2 bidder making a deposit of survey or appraisal costs is determined by the commissioner to be the  
3 highest qualified bidder under this subsection, the deposit shall be paid to the unsuccessful bidder  
4 who incurred those costs or to the department if the department incurred the costs. [ANY  
5 SURVEY OR APPRAISAL COSTS REASONABLY INCURRED BY A QUALIFIED BIDDER  
6 UNDER THE REGULATIONS OF THE COMMISSIONER OR DEPOSITED UNDER THIS  
7 SUBSECTION MUST BE CREDITED UNDER THE FIRST AND THEN SUBSEQUENT  
8 YEARS' RENTALS.] All costs for survey and appraisal shall be approved in advance in writing  
9 by the commissioner. The commissioner shall immediately issue a receipt containing a description  
10 of the land or interest leased, the price bid, and the terms of the lease [, AND THE AMOUNT  
11 OF ANY CREDIT FOR SURVEY AND APPRAISAL COSTS] to the successful qualified  
12 bidder. If the receipt is not accepted in writing by the bidder under this subsection, the  
13 commissioner may offer the land for lease again under this subsection. A lease, on a form  
14 approved by the attorney general, shall be signed by the successful bidder and by the  
15 commissioner within the period specified in the auction notice [30 DAYS AFTER THE  
16 AUCTION].

17 \* Sec. 33. AS 38.05.075(f) is amended to read:

18 (f) If, after completion of the procedures required by (e) of this section, the  
19 commissioner determines that there is only one qualified bidder, the [THE:] commissioner  
20 may issue a lease without competitive bidding at the approved, appraised market value of the  
21 land determined under AS 38.05.840 or by another form of lease compensation specified by  
22 the commissioner from among those set out in AS 38.05.073(m) and designed to maximize  
23 the return on the lease to the state [IF, AFTER COMPLETION OF THE PROCEDURES  
24 REQUIRED BY (E) OF THIS SECTION, THE COMMISSIONER DETERMINES THAT  
25 THERE IS ONLY ONE QUALIFIED BIDDER]. The commissioner may establish terms and  
26 conditions for entry to the land pending survey and appraisal of the land. The commissioner  
27 shall issue the lease as soon as is practicable following the survey and appraisal of the land  
28 subject to the provisions of AS 38.05.035(e).

29 \* Sec. 34. AS 38.05.085(c) is amended to read:

30 (c) The lessee shall make advance payments of the annual rent or other form of lease  
31 compensation specified by the commissioner or that portion of it [AS] the [DIRECTOR, WITH

1 THE APPROVAL OF THE] commissioner [,] may require.

2 \* Sec. 35. AS 38.05.105(a) is amended to read:

3 (a) Each lease shall stipulate that [AT THE CONCLUSION OF THE INITIAL 25-YEAR  
4 PERIOD OF THE LEASE AND] at five-year intervals as specified in the lease [OF 10 YEARS  
5 THEREAFTER] the annual rent payment or other form of lease compensation specified by the  
6 commissioner is subject to adjustment. Changes [CHARGES] or adjustments shall be based  
7 primarily on changes in the lease's [AN ADJUSTED] fair market value. However, if the  
8 commissioner [DIRECTOR] determines that single-family residential development is the best  
9 use of the land, the reappraisal period may be lengthened or the readjustment waived in  
10 accordance with regulations adopted by the department. Before a waiver of rent adjustment is  
11 issued, the land shall have a current reappraisal. A waiver is valid only if single-family  
12 residential development actually occurs. The regulations adopted under this section shall ensure  
13 that the state receives a fair return from the land.

14 \* Sec. 36. AS 38.05.860(a) is amended to read:

15 (a) The commissioner [DIRECTOR] may require an applicant seeking the sale, lease,  
16 or other disposal of land or an interest in land, other than under an oil and gas or mineral lease,  
17 to deposit an amount covering the estimated cost of an appraisal, survey, and other costs  
18 necessary to offer the land or interest in land, including advertising. All deposited funds not  
19 expended shall be refunded to the applicant. If the land or interest in land is awarded [SOLD  
20 OR LEASED] to a person other than the applicant making the deposit, the person [PARTY]  
21 awarded the land shall pay the total actual cost incurred by the department in making the  
22 disposal [OF APPRAISING AND SURVEYING THE LAND, TOGETHER WITH THE TOTAL  
23 ACTUAL COST OF ADVERTISING], and the deposit shall be returned to the original applicant.  
24 In lieu of requiring the deposit under this subsection, the commissioner may enter into an  
25 agreement with an applicant seeking land or an interest in land requiring the applicant to  
26 reimburse the department for costs incurred in the disposal if the applicant is awarded the  
27 land or interest in land.

28 \* Sec. 37. AS 38.08.030(b) is amended to read:

29 (b) Fees for filing an application shall be set by the commissioner by regulation [MAY  
30 NOT EXCEED \$10].

31 \* Sec. 38. AS 38.50 is amended by adding a new section to read:

1           Sec. 38.50.025. COSTS OF EXCHANGE; FEES. (a) The director shall charge a party  
2 proposing an exchange of land under this chapter a nonrefundable application fee.

3           (b) In addition to the fee under (a) of this section, the costs of an exchange of land under  
4 this chapter, including survey, appraisal, advertising, and public hearing expenses that are  
5 incurred by the department, shall be charged to the party proposing the exchange as a processing  
6 fee.

7           (c) The commissioner shall adopt regulations to implement this section.

8 \* Sec. 39. AS 41.21.020(a) is amended to read:

9           (a) The department shall

10           (1) develop a continuing plan for the conservation and maximum use in the public  
11 interest of the scenic, historic, archaeological, scientific, biological, and recreational resources of  
12 the state;

13           (2) plan for and develop a system of state parks and recreational facilities, to be  
14 established as the legislature authorizes and directs;

15           (3) acquire by gift, purchase, or transfer from state or federal agencies, or from  
16 individuals, corporations, partnerships or associations, land necessary, suitable and proper for  
17 roadside, picnic, recreational, or park purposes;

18           (4) [~~CONTROL,~~] develop, manage, and maintain state parks and recreational  
19 areas;

20           (5) provide for the acquisition, care, management [~~CONTROL~~], supervision,  
21 improvement, development, extension, and maintenance of public recreational land, and make  
22 necessary arrangements, contracts, or commitments for the improvement and development of land  
23 acquired under AS 41.21.010 - 41.21.040; contracting for improvement and development under  
24 this paragraph is governed by AS 36.30 (State Procurement Code);

25           (6) adopt, in accordance with this section and the Administrative Procedure Act  
26 (AS 44.62), regulations governing the use and designating incompatible uses within the  
27 boundaries of state park and recreational areas to protect the property and to preserve the peace;

28           (7) cooperate with the United States and its agencies and local subdivisions of the  
29 state to secure the effective supervision, improvement, development, extension, and maintenance  
30 of state parks, state monuments, state historical areas, and state recreational areas, and secure  
31 agreements or contracts for the purpose of AS 41.21.010 - 41.21.040;

- 1 (8) encourage the organization of state public park and recreational activities in  
2 the local political subdivisions of the state;
- 3 (9) provide for consulting service designed to develop local park and recreation  
4 facilities and programs;
- 5 (10) provide clearinghouse services for other state agencies concerned with park  
6 and recreation matters;
- 7 (11) perform other duties as are prescribed by executive order or by law;
- 8 (12) maintain memorials to Alaska veterans located in state parks; and
- 9 (13) adopt, in accordance with the Administrative Procedure Act (AS 44.62),  
10 regulations governing the use of the Chena River State Recreation Area and designating  
11 incompatible uses within the boundaries of the Chena River State Recreation Area in accordance  
12 with AS 41.21.490; and

13 (14) accept cash and other donations from public or private sources to assist  
14 and support the department in carrying out the purposes of this chapter.

15 \* Sec. 40. AS 41.21.026(a) is amended to read:

16 (a) Notwithstanding (b) of this section, the [THE] department may charge or collect  
17 a fee in a park unit for

- 18 (1) rental of public use cabins or other overnight lodgings;
- 19 (2) overnight use of a developed campsite;
- 20 (3) special park use permits;
- 21 (4) competitive and exclusive commercial use permits;
- 22 (5) noncompetitive and nonexclusive commercial use permits;
- 23 (6) use of a sewage holding tank dump station;
- 24 (7) admission to or guided tours of visitor centers or historic sites; [AND]
- 25 (8) use of an improved boat ramp in a park facility developed principally for boat

26 launching;

27 (9) sale of firewood;

28 (10) use of a developed trailhead, access site, or picnic site, that has parking,  
29 rest rooms, and refuse collection; and

30 (11) the presentation or attendance at programs related to natural or cultural  
31 history, outdoor skills or education, or other topics concerned with public use, enjoyment,

1 or understanding of parks

2 \* Sec. 41. AS 42.05 is amended by adding a new section to read:

3 Sec. 42.05.253. PUBLIC UTILITY REGULATORY COST CHARGE. (a) A regulated  
4 public utility operating in the state shall pay to the commission an annual regulatory cost charge  
5 in an amount not to exceed .61 percent of gross revenue derived from operations in the state, as  
6 modified under (c) of this section if appropriate. An exempt utility shall pay the actual cost of  
7 services provided to it by the commission.

8 (b) The commission shall by regulation establish a method to determine annually the  
9 amount of the regulatory cost charge for a public utility. If the amount the commission expects  
10 to collect under (a) of this section and under AS 42.06.285(a) exceeds the authorized budget of  
11 the commission, the commission shall, by order, reduce the percentages set out in (a) of this  
12 section so that the total amount of the fees collected approximately equals the authorized budget  
13 of the commission for the fiscal year.

14 (c) In determining the amount of the regulatory cost charge imposed under (a) of this  
15 section,

16 (1) a utility selling utility services at wholesale shall modify its gross revenue by  
17 deducting payments it receives for wholesale sales;

18 (2) a local exchange telephone utility shall modify its gross revenue by deducting  
19 payments received from other carriers for settlements or access charges.

20 (d) The commission shall calculate the total regulatory cost charges to be levied against  
21 all regulated electric utilities under this section. The commission shall allocate the total amount  
22 among the regulated electric utilities by using an equal charge per kilowatt hour sold at retail.

23 (e) The commission shall administer, collect, and enforce the charge imposed under this  
24 section.

25 (f) The commission shall allow a public utility to recover all payments made to the  
26 commission under this section. The commission may not require a public utility to file a rate  
27 case in order to be eligible to recover the regulatory cost charge.

28 (g) The commission may adopt regulations under AS 44.62 (Administrative Procedure  
29 Act) necessary to administer this section, including requirements and procedures for reporting  
30 information and making quarterly payments, for investigating the accuracy of filed information,  
31 and for collecting required payments.

1 (h) In this section,

2 (1) "exempt utility" means a public utility that is certificated by the commission  
3 under AS 42.05.221 - 42.05.281 but, in accordance with AS 42.05.711, is exempt from other  
4 regulatory requirements of this chapter;

5 (2) "gross revenue" means the total operating revenue from intrastate services, as  
6 shown in a utility's annual report required by the commission by regulation;

7 (3) "regulated utility" means a public utility that is certificated by the commission  
8 under AS 42.05.221 - 42.05.281 and that is subject to the other regulatory requirements of this  
9 chapter;

10 (4) "wholesale sales" means sales to another utility for resale under circumstances  
11 that make revenue from the resale subject to the regulatory cost charge imposed under this  
12 section.

13 \* Sec. 42. AS 42.05.651(a) is amended to read:

14 (a) During [AFTER COMPLETION OF] a hearing or investigation held under this  
15 chapter, the commission may [SHALL] allocate the costs of the hearing or investigation among  
16 the parties, including the commission, as is just under the circumstances. In allocating costs, the  
17 commission shall consider the regulatory cost charge paid by a utility under AS 42.05.253  
18 and may consider the results, ability to pay, evidence of good faith, other relevant factors, and  
19 mitigating circumstances. The costs allocated may include the costs of any time devoted to the  
20 investigation or hearing by hired consultants, whether or not the consultants appear as witnesses  
21 or participants. The costs allocated may also include any out-of-pocket expenses incurred by the  
22 commission in the particular proceeding. The commission shall provide an opportunity for any  
23 person objecting to an allocation to be heard before the allocation becomes final.

24 \* Sec. 43. AS 42.05.661 is amended to read:

25 Sec. 42.05.661. APPLICATION FEES. With each application relating to a certificate  
26 the applicant shall pay the commission a fee set by the commission by regulation that [OF \$50  
27 WHICH] shall be deposited in the general fund of the state.

28 \* Sec. 44. AS 42.06 is amended by adding a new section to read:

29 Sec. 42.06.285. PIPELINE CARRIER REGULATORY COST CHARGE. (a) A pipeline  
30 carrier operating in the state shall pay to the commission an annual regulatory cost charge in an  
31 amount not to exceed .61 percent of gross revenue derived from operations in the state.

1 (b) The commission shall by regulation establish a method to determine annually the  
2 amount of the regulatory cost charge. If the amount the commission expects to collect under (a)  
3 of this section and under AS 42.05.253(a) exceeds the authorized budget of the commission, the  
4 commission shall, by order, reduce the percentage set out in (a) of this section so that the total  
5 amount of the fees collected approximately equals the authorized budget of the commission for  
6 the fiscal year.

7 (c) The commission shall administer, collect, and enforce the charge imposed under this  
8 section.

9 (d) The commission may adopt regulations under AS 44.62 (Administrative Procedure  
10 Act) necessary to administer this section, including requirements and procedures for reporting  
11 information and making quarterly payments, for investigating the accuracy of filed information,  
12 and for collecting required payments.

13 (e) In this section, "gross revenue" means the total intrastate operating revenue as shown  
14 in a pipeline carrier's annual report required by the commission by regulation.

15 \* Sec. 45. AS 42.06.610(a) is amended to read:

16 (a) During a proceeding held under this chapter, the commission may [SHALL] allocate  
17 the cost of the proceeding among the parties, including the commission, as is just under the  
18 circumstances. In allocating costs, the commission shall consider the regulatory cost charge  
19 paid directly or indirectly under AS 42.06.285. The costs allocated may include the costs of  
20 any time devoted to investigations or hearings by hired consultants, whether or not the  
21 consultants appear as witnesses or participants. The commission shall provide an opportunity for  
22 any person objecting to an allocation to be heard before the allocation becomes final.

23 \* Sec. 46. AS 44.19.024 is amended to read:

24 Sec. 44.19.024. FEES FOR ISSUING CERTIFICATE. For issuing each certificate with  
25 the seal of the state affixed, the lieutenant governor shall collect a fee set by the lieutenant  
26 governor by regulation [OF \$2 FOR THE FIRST THREE FOLIOS OR LESS AND 20 CENTS  
27 PER FOLIO FOR EACH ADDITIONAL FOLIO]. The lieutenant governor shall account for the  
28 fees received under this section and shall pay them into the general fund [STATE TREASURY].

29 \* Sec. 47. AS 44.21.310(b) is amended to read:

30 (b) The department may

31 (1) coordinate its functions with local, regional, state, and federal officials, private

- 1 groups and individuals, and with officials of other countries, provinces, and states;
- 2 (2) enter into contracts and subcontracts on behalf of the state to carry out the
- 3 provisions of AS 44.21.305 - AS 44.21.330;
- 4 (3) act for the state in the initiation, investigation, and evaluation of, or
- 5 participation in, programs related to the purposes of the department that [WHICH] involve more
- 6 than one government or governmental unit;
- 7 (4) on behalf of the state, apply for, accept, and expend gifts or grants made to
- 8 the state if the gifts or grants are for the purposes of furthering the objectives of the department;
- 9 [AND]
- 10 (5) hold public hearings to obtain information for the purpose of carrying out the
- 11 provisions of AS 44.21.305 - 44.21.330; and
- 12 (6) provide telecommunication services to commercial entities for television
- 13 broadcast and charge for those services.

14 \* Sec. 48. AS 44.28 is amended by adding new sections to read:

15 Sec. 44.28.040. FEES. Notwithstanding AS 09.25.110 - 09.25.130, the department may

16 establish by regulation and may charge reasonable fees for

- 17 (1) training; and
- 18 (2) departmental publications and research data to cover the cost of reproduction,
- 19 printing, mailing, and distribution.

20 Sec. 44.28.090. DEFINITIONS. In this chapter,

- 21 (1) "commissioner" means the commissioner of corrections;
- 22 (2) "department" means the Department of Corrections.

23 \* Sec. 49. AS 44.37.025(c) is amended to read:

24 (c) The department, with the concurrence of the administrative director of courts, may

25 appoint judicial employees to perform services in connection with recording, providing access

26 to, and copying documents in locations where the department has not otherwise designated a

27 public office [NO EMPLOYEES AVAILABLE] to perform those functions.

28 \* Sec. 50. AS 44.50.040 is amended to read:

29 Sec. 44.50.040. FEES. A fee set by the lieutenant governor by regulation [OF \$40]

30 shall be paid to the lieutenant governor for each commission issued to a person other than a state

31 employee.

1 \* Sec. 51. AS 44.83.080 is amended by adding a new paragraph to read:

2 (17) to adopt regulations establishing fees under which the authority may be  
3 reimbursed for services or recover equity investments or capital costs for projects and activities  
4 described in (5), (6), and (8) of this section under agreements described in (7) - (11) of this  
5 section, or under other agreements that relate to the projects or covenants or representations made  
6 in bond documents that relate to the projects or loan programs.

7 \* Sec. 52. AS 45.55.195(b) is amended to read:

8 (b) The administrator may by regulation [OR ORDER] adopt a schedule of charges for  
9 annual examination fees of issuers, broker-dealers, agents, and investment advisers.

10 \* Sec. 53. AS 46.15 is amended by adding new sections to read:

11 Sec. 46.15.035. APPROPRIATION OR REMOVAL OF WATER OUT OF  
12 HYDROLOGIC UNITS TO OTHER HYDROLOGIC UNITS; WATER CONSERVATION FEE;  
13 RESERVATION OF WATER FOR FISH. (a) Water may not be removed from the hydrologic  
14 unit from which it was appropriated to another hydrologic unit, inside or outside the state,  
15 without being returned to the hydrologic unit from which it was appropriated nor may water be  
16 appropriated for removal from the hydrologic unit from which the appropriation is sought to  
17 another hydrologic unit, inside or outside the state, without the water being returned to the  
18 hydrologic unit from which it is to be appropriated, unless the commissioner

19 (1) finds that the water to be removed or appropriated for removal is surplus to  
20 needs within the hydrologic unit from which the water is to be removed or appropriated for  
21 removal;

22 (2) finds that the application for removal or appropriation for removal meets the  
23 requirements of AS 46.15.080; and

24 (3) assesses a water conservation fee under (b) of this section.

25 (b) The commissioner shall establish, by regulation, a water conservation fee for a use  
26 of water in which the water is removed from the hydrologic unit from which it was appropriated  
27 to another hydrologic unit inside or outside the state, without the water being returned to the  
28 hydrologic unit from which it was appropriated. The fee established under this subsection shall  
29 be graduated to encourage the conservation of water.

30 (c) Except as provided in AS 46.15.090, and in addition to the requirements of (a) of this  
31 section, the commissioner may approve an application for removal or permit an appropriation for

1 removal under (a) of this section of water from a lake, river, or stream that is used by fish for  
2 spawning, incubation, rearing, or migration, or ground water that significantly influences the  
3 volume of water in a lake, river, or stream that is used by fish for spawning, incubation, rearing,  
4 or migration, only if the commissioner reserves a volume of water in the lake or an instream flow  
5 in the river or stream for the use of fish and to maintain habitat for fish. The commissioner may  
6 adjust the volume of water reserved under this subsection if the commissioner, after public notice  
7 and opportunity to comment and with the concurrence of the commissioner of fish and game,  
8 finds that the best interests of the state are served by the adjustment. A reservation under this  
9 subsection

10 (1) of a volume of water or an instream flow for the use of fish and to maintain  
11 habitat for fish that is reserved under this section is withdrawn from appropriation;

12 (2) for fish from a lake, river, or stream, identified under AS 16.05.870 or  
13 identified in a Department of Fish and Game regional guide as being used by fish for spawning,  
14 incubation, rearing, or migration on or before the effective date of this section, has a priority date  
15 as of the effective date of this section;

16 (3) of water does not apply to an application for removal or appropriation for  
17 removal under AS 46.15.040 for nonconsumptive uses of water or for single family domestic use;

18 (4) is not subject to AS 46.15.145;

19 (5) of water does not apply to appropriations of ground water of 5,000 gallons  
20 or less a day unless the commissioner, in consultation with the Department of Fish and Game,  
21 determines that the appropriation may adversely affect fish habitat in a lake, river, or stream; the  
22 commissioner shall consider multiple appropriations of water for a single related use as a single  
23 appropriation for the purposes of this subsection.

24 (d) In this section,

25 (1) "fish" means a species of anadromous or freshwater fish that may be taken  
26 under regulations of the Board of Fisheries;

27 (2) "hydrologic unit" means either a hydrologic unit or subunit established by the  
28 United States Geologic Survey on current hydrologic unit maps of the state.

29 Sec. 46.15.037. SALE OF WATER BY THE STATE. (a) The commissioner may  
30 provide for the sale of water by the state if

31 (1) the water has first been appropriated to the state in accordance with the

1 requirements of this chapter, and  
2 (2) the commissioner determines that  
3 (A) the water is surplus to needs within the hydrologic unit from which  
4 it was appropriated;  
5 (B) the proposed sale of the water meets the requirements of  
6 AS 46.15.080; and  
7 (C) the sale price of the water is based upon the fair market value of the  
8 water.  
9 (b) A purchaser of water from the state under this section shall acquire only those  
10 contractual rights to the water set out in sale documents prepared by the commissioner except  
11 that a sale of water by the state does not constitute an appropriation of water under this chapter  
12 to the purchaser.  
13 (c) If water to be sold by the state under (a) of this section, is to be removed from the  
14 hydrologic unit from which it was appropriated to another hydrologic unit, inside or outside the  
15 state, without being returned to the hydrologic unit from which it was appropriated, the  
16 commissioner may not sell the water unless the sale meets the requirements of (a)(2) of this  
17 section, a water conservation fee is assessed under AS 46.15.035, and, if the water to be sold is  
18 from a lake, river, or stream that is used by fish for spawning, incubation, rearing, or migration  
19 ground water that significantly influences the volume of water in a lake, river, or stream that is  
20 used by fish for spawning, incubation, rearing, or migration, the commissioner reserves a volume  
21 of water in the lake or an instream flow in the river or stream for the use of fish and to maintain  
22 habitat for fish. The commissioner may adjust the volume of water reserved under this  
23 subsection if the commissioner, after public notice and opportunity to comment and with the  
24 concurrence of the commissioner of fish and game, finds that the best interests of the state are  
25 served by the adjustment. A reservation under this subsection  
26 (1) of a volume of water or an instream flow for the use of fish and to maintain  
27 habitat for fish that is reserved under this section is withdrawn from appropriation;  
28 (2) for fish from a lake, river, or stream, identified under AS 16.05.870 or  
29 identified in a Department of Fish and Game regional guide as being used by fish for spawning,  
30 incubation, rearing, or migration on or before the effective date of this section, has a priority date  
31 as of the effective date of this section;

1 (3) is not subject to AS 46.15.145;

2 (4) of water does not apply to appropriations of ground water of 5,000 gallons  
3 or less a day unless the commissioner, in consultation with the Department of Fish and Game,  
4 determines that the appropriation may adversely affect fish habitat in a lake, river, or stream; the  
5 commissioner shall consider multiple appropriations of water for a single related use as a single  
6 appropriation for the purposes of this subsection.

7 (d) In this section,

8 (1) "fish" means a species of anadromous or freshwater fish that may be taken  
9 under regulations of the Board of Fisheries;

10 (2) "hydrologic unit" has the meaning given in AS 46.15.035(d).

11 (e) The commissioner may not provide for the sale of salt water under this section.

12 \* Sec. 54. AS 46.15.133 is amended to read:

13 Sec. 46.15.133. NOTICES; OBJECTIONS. (a) If the commissioner proposes a sale  
14 of water or receives [UPON RECEIPT OF] an application for appropriation or removal, the  
15 commissioner shall prepare a notice containing the location and extent of the proposed sale,  
16 appropriation, or removal, the name and address of the applicant, if applicable, and other  
17 information the commissioner considers pertinent. The notice shall state that within 15 days of  
18 publication or service of notice, persons may file with the director written objections, stating the  
19 name and address of the objector, and any facts tending to show that rights of the objector or the  
20 public interest would be adversely affected by the proposed sale, appropriation, or removal.

21 (b) The commissioner shall publish the notice [AT THE APPLICANT'S EXPENSE] in  
22 one issue of a newspaper of general distribution in the area of the state in which the water is to  
23 be appropriated. The commissioner shall also have notice served personally or by certified mail  
24 upon an appropriator of water or applicant for or holder of a permit who, according to the records  
25 of the division of lands, may be affected by the proposed sale, appropriation, or removal and  
26 may serve notice upon any governmental agency, political subdivision, or person; notice shall  
27 also be served upon the Department of Fish and Game and the Department of Environmental  
28 Conservation. An applicant for an appropriation or removal shall pay the commissioner's  
29 costs in providing publication and notice under this subsection. The commissioner may  
30 require as a condition of a sale of water under AS 46.15.037, that a purchaser of water  
31 reimburse the department for the costs associated with providing notice of the proposed

1 sale.

2 (c) Within 15 days of publication or service of notice, an interested person may file an  
3 objection. The commissioner may hold hearings upon giving due notice and shall grant, deny,  
4 or condition the proposed sale or application for appropriation or removal in whole or in part  
5 within 30 days of receipt of the last objection or, if the commissioner elects to hold hearings,  
6 within 180 days of receipt of the last objection. Notice of the order or decision shall be served  
7 personally or mailed to any person who has filed an objection.

8 (d) If no objection is filed, the commissioner may proceed to make a determination upon  
9 the application for appropriation or removal or the proposal for sale.

10 (e) A person aggrieved by the action of the commissioner or by the failure of the  
11 commissioner to grant, deny, or condition a proposed sale or an application for appropriation  
12 or removal in accordance with (c) of this section may appeal to the superior court.

13 (f) The commissioner may, by regulation, designate types of appropriations that are  
14 exempt from this section and provide simplified procedures for ruling on the applications. The  
15 commissioner may not exempt under this subsection appropriations for removal under  
16 AS 46.15.035, appropriations by the state for sale or sales by the state under AS 46.15.037,  
17 or removals of water under AS 46.15.035 and 46.15.037.

18 \* Sec. 55. Section 4, ch. 81, SLA 1981, as amended by sec. 1, ch. 25, SLA 1988, is amended to read:

19 Sec. 4. Section 3 of this Act takes effect July 1, 1997 [JUNE 30, 1998].

20 \* Sec. 56. Section 3, ch. 95, SLA 1989, is amended to read:

21 Sec. 3. EMPLOYMENT ASSISTANCE AND TRAINING PROGRAM FUND  
22 [ACCOUNT]. The employment assistance and training program fund [ACCOUNT] is  
23 established in the department. Deposits into the fund are not general fund program receipts  
24 [GENERAL FUND. THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY  
25 ACCOUNT FOR MONEY COLLECTED UNDER SEC. 4 OF THIS ACT THAT THE  
26 DEPARTMENT DEPOSITED IN THE GENERAL FUND]. The annual estimated balance in  
27 the fund [ACCOUNT] may be appropriated by the legislature to the department to implement  
28 this Act. If the entire estimated balance is not used to implement this Act during a fiscal  
29 year, the [THE] legislature may make appropriations from the employment assistance and  
30 training fund [APPROPRIATE THE LAPSING BALANCE OF THE ACCOUNT] to the  
31 unemployment compensation fund established in AS 23.20.130.

1 \* **Sec. 57.** AS 05.10.120(b); AS 28.10.161(c); AS 33.30.031(b), 33.30.031(c), 33.30.031(d);  
2 AS 38.05.085(a), 38.05.085(b), 38.05.085(g), and 38.05.105(b) are repealed.

3 \* **Sec. 58. MATERIAL SITES USED FOR TIMBER OPERATIONS.** Material sites used for timber  
4 operations are subject to regulation under AS 41.17. AS 27.19 does not apply to material sites used for  
5 timber operations.

6 \* **Sec. 59. TRANSITIONAL FEES.** Except as provided in sec. 60 of this Act, a fee set by a statute  
7 that is amended or repealed by this Act remains in effect until a regulation setting a new fee to replace  
8 that fee takes effect.

9 \* **Sec. 60. TEMPORARY FEES IN STATE PARKS.** (a) The following fees apply for the following  
10 activities in units of the state park system until the Department of Natural Resources adopts a regulation  
11 under AS 41.21.026(c) that establishes a fee for that activity:

12 (1) sale of firewood . . . . . \$4 per bundle;

13 (2) use of a developed trailhead, access site, or picnic site, that has parking, rest rooms,  
14 and refuse collection . . . . . \$2 per vehicle, or \$25 for an annual pass;

15 (3) admission to visitor centers or historic sites . . . . . \$1 per person.

16 (b) The commissioner of natural resources shall notify the revisor of statutes when a regulation  
17 is adopted that establishes a fee for an activity described under (a) of this section.

18 \* **Sec. 61.** Sections 58 and 60 of this Act are repealed July 1, 1994.

19 \* **Sec. 62.** Section 13 of this Act takes effect January 1, 1993.

20 \* **Sec. 63.** Except as provided in sec. 62 of this Act, this Act takes effect July 1, 1992.