

HOUSE BILL NO. 597

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SPECIAL SESSION

BY THE HOUSE FINANCE COMMITTEE BY REQUEST

Introduced: 5/13/92

Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the finances of state government; relating to charges and fees for
2 various licenses, services, regulatory activities, and materials provided by the state including
3 those related to motor vehicles and drivers of motor vehicles, to health and safety reviews,
4 permits, and inspections, to hunting, fishing, and trapping, to occupational licenses,
5 occupational certifications, and occupational training programs and plans, to notaries'
6 commissions, to public offices, to identification cards, to state parks, to telecommunications,
7 to public advocacy, to corrections, to pipeline carriers, and to public utilities; relating to
8 the collection of donations to the state park system; and providing for an effective date."

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

10 * **Section 1.** AS 05.35.150 is amended to read:

11 **Sec. 05.35.150. ALASKA AMATEUR SPORTS FUND.** There is established as a
12 **separate fund in the Department of Commerce and Economic Development the Alaska amateur**

1 sports fund. The fund consists of private contributions and money appropriated to the fund from
2 receipts under former AS 28.10.421(f). Money in the fund may be appropriated for the
3 promotion and development of amateur sports.

4 * Sec. 2. AS 08.01.065(c) is repealed and reenacted to read: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 may establish fee levels that exceed the regulatory costs for an
8 occupation only upon approval by the board that regulates the occupation. In this subsection,
9 "regulatory costs" means direct and indirect costs of the department that are attributable to
10 regulation of an occupation plus

11 (1) all costs of the board that regulates the occupation if the board regulates only
12 one occupation; or

13 (2) the direct and indirect costs of a board that are attributable to the occupation
14 if the board regulates more than one occupation.

15 * Sec. 3. AS 08.54.450(a) is repealed and reenacted to read:

16 (a) Notwithstanding AS 08.01.065, a person licensed under this chapter shall, on a date
17 set by the department, pay a license fee as follows:

- 18 (1) annually,
- 19 (A) guide-outfitter \$260;
- 20 (B) marine mammal guide-outfitter \$200;
- 21 (C) transporter \$195;
- 22 (2) biennially,
- 23 (A) class-A assistant guide-outfitter \$260;
- 24 (B) assistant guide-outfitter \$260.

25 * Sec. 4. AS 15.13.030 is amended to read:

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

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

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

- 1 chapter;
- 2 (3) receive and hold open for public inspection reports and statements required
- 3 to be made under this chapter and, upon request, furnish copies at cost to interested persons;
- 4 (4) compile and maintain a current list of all filed reports and statements;
- 5 (5) prepare a summary of each report filed under AS 15.13.110 and make copies
- 6 of this summary available to interested persons at their actual cost;
- 7 (6) notify, by registered or certified mail, all persons who are delinquent in filing
- 8 reports and statements required to be made under this chapter;
- 9 (7) report within 60 days after the election the names of all persons and groups
- 10 who have failed to comply with any of the provisions of this chapter to the office of the attorney
- 11 general;
- 12 (8) examine, investigate, and compare all reports, statements, and actions required
- 13 by this chapter, AS 24.45, and AS 39.50 and report to the attorney general the names of all
- 14 persons or groups that [WHICH] the commission has substantial reason to believe have violated
- 15 this chapter, AS 24.45, or AS 39.50;
- 16 (9) prepare and publish a biennial report to the legislature concerning the activities
- 17 of the commission, the effectiveness of this chapter, its enforcement by the attorney general's
- 18 office, and recommendations and proposals for change;
- 19 (10) adopt regulations necessary to implement and clarify the provisions of
- 20 AS 24.45, AS 39.50, and this chapter, subject to the provisions of the Administrative Procedure
- 21 Act (AS 44.62);
- 22 (11) establish by regulation a schedule of fees for reports, statements, and
- 23 filings, delinquent reports, statements, and filings, and for services performed by the
- 24 commission.

25 * Sec. 5. AS 16.05.340(a) is amended to read:

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

- 27 (1) Resident sport fishing license \$ 15 [10]
- 28 However, the fee is 25 cents for a resident who is blind.
- 29 (2) Resident hunting license 25 [12]
- 30 (3) Resident hunting and trapping license 40 [22]
- 31 (4) Resident trapping license 15 [10]

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

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

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

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

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

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

11 (7) Nonresident special sport fishing license - valid for the period inscribed on
12 the license

13 (A) For 14-day license \$ 30

14 (B) For three-day license 15

15 (C) For one-day license 10

16 (8) Nonresident sport fishing license 50

17 (9) Nonresident hunting license 85

18 (10) Nonresident hunting and sport fishing license 135

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

25 (11) Nonresident hunting and trapping license \$250

26 (12) Fur dealers

27 (A) Resident fur dealer biennial license 150

28 (B) Nonresident fur dealer biennial license 500

29 (13) Taxidermists

30 (A) Resident taxidermy biennial license 200

31 (B) Nonresident taxidermy biennial license 500

1 (14) Aquatic farming triennial license 400

2 (15) Nonresident big game tags

3 (A) Bear, black, each 225

4 (B) Bear, brown or grizzly, each 500

5 (C) Bison, each 450

6 (D) Caribou, each 325

7 (E) Deer, each 150

8 (F) Elk, each 300

9 (G) Goat, each 300

10 (H) Moose, each 400

11 (I) Sheep, each 425

12 (J) Wolf, each 175

13 (K) Wolverine, each 175

14 (L) Musk oxen, each 1,100

15 (16) Resident big game tags

16 (A) Bear, brown or grizzly, each \$25

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

19 (B) Musk oxen, each 500

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

22 (17) Waterfowl conservation tag 5

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

- 25 (i) qualifies for a \$5 license fee under (6) of this subsection;
- 26 (ii) is a resident under the age of 16;
- 27 (iii) is 60 years of age or older and is a resident;
- 28 (iv) is a disabled veteran eligible for a free license under

29 AS 16.05.341.

30 (B) The Board of Game shall by regulation exempt the requirement of a
 31 waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit

1 from programs described in AS 16.05.130(b)(2) - (4).

2 (18) Game farming

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

4 (B) Game bird farming biennial license 50

5 (19) Nonresident small game hunting license 20

6 (20) Nonresident alien hunting license 300

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

13 (21) Nonresident alien big game tags

14 (A) Bear, black, each \$300

15 (B) Bear, brown or grizzly, each 650

16 (C) Bison, each 650

17 (D) Caribou, each 425

18 (E) Deer, each 200

19 (F) Elk, each 400

20 (G) Goat, each 400

21 (H) Moose, each 500

22 (I) Musk oxen, each 1,500

23 (J) Sheep, each 550

24 (K) Wolf, each 250

25 (L) Wolverine, each 250

26 (22) Chitina personal use salmon dip net fishing permit 10

27 (23) Resident king salmon tag 10

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

30 (A) qualifies for a 25 cent license fee under (1) of this subsection;

31 (B) is under the age of 16;

1 (C) is 60 years of age or older and has been a resident of the state for at
2 least one year;

3 (D) is a disabled veteran eligible for a free license under AS 16.05.341;
4 or

5 (E) qualifies for a \$5 license fee under (6) of this subsection.

6 (24) Nonresident king salmon tag \$20

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

9 * Sec. 6. AS 18.31.200 is amended by adding a new subsection to read:

10 (g) The Department of Labor shall adopt by regulation a fee schedule for

11 (1) review, approval, and certification of asbestos training certification programs
12 and plans under this section; and

13 (2) certification of a person employed to abate an asbestos health hazard.

14 * Sec. 7. AS 18.65.310(a) is amended to read:

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

19 * Sec. 8. AS 28.10.108(b) is amended to read:

20 (b) Subject to the provisions of (f) of this section, a vehicle subject to registration

21 (1) under AS 28.10.011 and 28.10.421(b)(3) [~~AND (4)~~] and (c)(1) - (4) shall have
22 its initial registration, and may have its annual registration, renewed during the month of
23 December;

24 (2) under AS 28.10.181, 28.10.411 and 28.10.421(d)(3) and (8) [~~(9)~~] shall have
25 its initial registration, and may have its annual registration, renewed during the month of January.

26 * Sec. 9. AS 28.10.421(b) is amended to read:

27 (b) The annual registration fees under this subsection are imposed within the following
28 classifications for:

29 (1) a passenger vehicle [~~OR MOTOR HOME~~] not used or maintained for the
30 transportation of persons or property for hire or for other commercial use \$70 [~~\$35~~];

31 (2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not

- 1 used or maintained for the transportation of persons or property for hire or for other commercial
- 2 use **\$75** [**\$40**];
- 3 (3) a taxicab **\$200** [**\$70**];
- 4 (4) [A MOTOR BUS WITH A SEATING CAPACITY FOR 20 OR MORE
- 5 PERSONS AND USED EXCLUSIVELY FOR COMMERCIAL PURPOSES IN THE
- 6 TRANSPORTING OF VISITORS OR TOURISTS **\$85**;
- 7 (5)] a motorcycle or a motor-driven cycle **\$50** [**\$20**];
- 8 (5) [(6)] a trailer not used or maintained for the transportation of persons or
- 9 property for hire or for other commercial use, including, but not limited to, a boat trailer, baggage
- 10 trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer rented or offered for rent
- 11 **\$25**; [**\$5**]
- 12 (6) a motor home not used or maintained for the transportation of persons
- 13 or property for hire or for other commercial use
- 14 (A) less than 10,000 pounds unladen weight **\$100**;
- 15 (B) 10,000 or more pounds unladen weight **\$200**.

16 * Sec. 10. AS 28.10.421(c) is amended to read:

17 (c) The annual registration fees under this subsection are imposed and are based upon

18 the actual unladen weight as established by the manufacturer's advertised weight or upon the

19 actual weight that [WHICH] the owner shall furnish, subject to the approval of the commissioner

20 or the commissioner's representative, for a vehicle used commercially or noncommercially and

21 for which a fee is not specified under (b) of this section [, INCLUDING A MOTOR

22 VEHICLE PULLING A TRAILER OR SEMI-TRAILER, USED OR MAINTAINED FOR THE

23 TRANSPORTATION OF PASSENGERS FOR HIRE, EXCEPTING TAXICABS AND BUSES

24 UNDER (b) OF THIS SECTION, OR FOR THE TRANSPORTATION OF PROPERTY FOR

25 HIRE OR FOR OTHER COMMERCIAL USE, INCLUDING A COMMERCIAL VEHICLE

26 SUCH AS A TRAILER, SEMI-TRAILER, TRUCK, WRECKER, TOW CAR, HEARSE,

27 AMBULANCE, AND TRACTOR], as follows

- 28 (1) up to and including 5,000 pounds **\$100** [**\$51**];
- 29 (2) more than 5,000 pounds to and including 12,000 pounds ... **\$200** [**\$86**];
- 30 (3) more than 12,000 pounds to and including 18,000 **\$300** [**\$156**];
- 31 (4) more than 18,000 pounds **\$400** [**\$221**].

1 * **Sec. 11.** AS 28.10.421(c) is repealed and reenacted to read:

2 (c) The annual registration fees under this subsection are imposed and are based upon
3 the actual unladen weight as established by the manufacturer's advertised weight or upon the
4 actual weight that the owner shall furnish, subject to the approval of the commissioner or the
5 commissioner's representative, for a vehicle used commercially or noncommercially and for
6 which a fee is not specified under (b) of this section, as follows

- 7 (1) up to and including 5,000 pounds \$200;
- 8 (2) more than 5,000 pounds to and including 12,000 pounds \$400;
- 9 (3) more than 12,000 pounds to and including 18,000 \$600;
- 10 (4) more than 18,000 pounds \$800.

11 * **Sec. 12.** AS 28.10.421(d) is amended to read:

12 (d) The special registration fees under this subsection are imposed annually, unless
13 otherwise specified, for

- 14 (1) an historic vehicle (one time only upon initial registration under
15 AS 28.10.181) \$50 [~~\$10~~];
- 16 (2) special request plates for
 - 17 (A) Alaska National Guard personnel \$50 [~~\$30~~];
 - 18 (B) veterans or retired veterans \$50 [~~\$30~~];
 - 19 (C) recipients of the Purple Heart \$50 [~~\$30~~];
 - 20 (D) other special request plates \$50 [~~\$30~~];

21 plus the fee required for that vehicle under (b) of this section; the fee required by this
22 paragraph shall be collected only on the first issuance [AND ON THE REPLACEMENT]
23 of special request plates;

24 (3) a vehicle owned by a disabled veteran or other handicapped person, and
25 registered under AS 28.10.181 [OR A RESIDENT 65 YEARS OF AGE OR OLDER WHO
26 FILES A WRITTEN APPLICATION FOR AN EXEMPTION ON A FORM PRESCRIBED BY
27 THE DEPARTMENT] none;

28 (4) a vehicle owned by the state none;

29 (5) a vehicle owned by an elected state official
30 the fee required for that vehicle under (b) of this section;

31 (6) [REPEALED]

1 (7)] a vehicle owned by a rancher, farmer, or dairyman and registered under
2 AS 28.10.181 \$75 [~~\$35~~];

3 (7) [(8)] a snowmobile or off-highway vehicle \$10 [~~\$5~~];

4 (8) [(9)] an amateur mobile radio station vehicle [,

5 (A) WITH A TRANSCEIVER CAPABLE OF LESS THAN 5-BAND
6 OPERATION] the fee required for that vehicle under (b) or (c) of this section;

7 [(B) IN RECOGNITION OF SERVICE TO THE PUBLIC A MOBILE
8 AMATEUR RADIO STATION OWNED BY AN AMATEUR WITH GENERAL CLASS
9 OR HIGHER LICENSE, PROVIDED THE STATION MUST BE SATISFACTORILY
10 PROVED CAPABLE OF OPERATING ON AT LEAST FIVE BANDS FROM 160
11 THROUGH 10 METERS, MUST HAVE AN ANTENNA, AND MUST HAVE A
12 POWER SUPPLY AND WIRING AS A PERMANENT PART OF THE VEHICLE; THE
13 TRANSMITTING UNIT MAY BE REMOVED FROM THE CAR FOR SERVICE OR
14 DRY STORAGE NONE
15 FOR A MOBILE AMATEUR RADIO STATION VEHICLE INCLUDED IN (b)(1) OR

16 (2) OF THIS SECTION;]

17 (9) [(10)] dealer registration plates [,

18 (A) THE INITIAL SET OF PLATES] \$100 [~~\$45~~];

19 [(B) EACH SUBSEQUENT SET OF PLATES \$25;]

20 (10) [(11)] a vehicle owned by a municipality, except a municipal utility vehicle
21 [OR CHARITABLE ORGANIZATION MEETING THE REQUIREMENTS OF AS 28.10.181(e)]

22 \$5;

23 (11) [(12)] AN OCCASIONAL USE VEHICLE UNDER AS 28.10.181(k) \$15;

24 (13)] a vehicle owned by a Pearl Harbor [PEARL HARBOR] survivor or a
25 former prisoner of war none;

26 (12) [(14)] REPEALED

27 (15)] special request university plates \$50

28 plus the fee required for that vehicle under (b)(1), (2), or (6) [(b)(1) OR (2)] of this section; the
29 fee required by this paragraph shall be collected only on the first issuance and on the replacement
30 of special request plates; the commissioner of administration shall separately account by
31 university campus designation for the fees received under this paragraph that the department

1 deposits in the general fund; the annual estimated balance in the accounts that is in excess of the
2 cost of issuing special request university plates may be appropriated by the legislature for the
3 support of programs at each campus;

4 (13) a volunteer fire department or emergency medical response
5 vehicle \$5;

6 (14) a municipal utility vehicle \$10;

7 (15) a charitable organization meeting the requirements of AS 28.10.181(e)

8 \$10.

9 * Sec. 13. AS 28.10.421 is amended by adding a new subsection to read:

10 (h) If a person renews a noncommercial vehicle registration by mail on a form prescribed
11 by the department the noncommercial registration fee imposed under this section shall be reduced
12 by \$15 if the applicable registration is \$15 or more.

13 * Sec. 14. AS 28.10.441 is amended to read:

14 Sec. 28.10.441. SCHEDULE OF OTHER FEES AND CHARGES. The following fees
15 and charges are imposed by the department for the stated services that [WHICH] it provides:

16 (1) title fee (including transfer of title) \$25 [~~\$5~~];

17 (2) lien filing fee \$10 [~~\$5~~];

18 (3) replacement of any registration plate set, including special request plates

19 \$25 [~~\$5~~];

20 (4) duplicate of original certificate of title \$25 [~~\$5~~];

21 (5) duplicate of certificate of registration \$10 [~~\$2~~];

22 (6) temporary preregistration permit issued under AS 28.10.031 none;

23 (7) special transport permit issued under AS 28.10.151 \$10 [~~\$5~~];

24 (8) special permit for vehicle used for transport of disabled or handicapped person
25 issued under AS 28.10.495 none.

26 * Sec. 15. AS 28.15.271(a) is amended to read:

27 (a) The fees for drivers' licenses and permits, including but not limited to renewals, and
28 all related driver skills tests are as follows:

29 (1) all noncommercial vehicles and motor-driven cycles

30 (A) each license fee \$25 [~~\$10~~];

31 (B) each driver skills test \$15;

- 1 (2) all commercial motor vehicles
- 2 (A) each license fee \$100;
- 3 (B) each driver skills test \$25;
- 4 (3) instruction permit \$15 [\$3];
- 5 (4) duplicate of driver's license or instruction permit \$15 [\$3];
- 6 (5) temporary license and renewal of permit \$15 [\$3];
- 7 (6) school bus driver's endorsement renewal \$5 [\$3].

8 * Sec. 16. AS 28.22.011(a) is amended to read:

9 (a) The operator or owner of a motor vehicle subject to registration under AS 28.10.011
 10 when driven on a highway, vehicular way or area, or on other public property in the state, shall
 11 be insured under a motor vehicle liability policy that complies with this chapter or a certificate
 12 of self-insurance that complies with AS 28.20.400 unless

13 (1) the motor vehicle is being driven or moved on a highway, vehicular way, or
 14 a public parking place in the state that is not connected by a land highway or vehicular way to

15 (A) the land-connected state highway system, or

16 (B) a highway or vehicular way with an average daily traffic volume
 17 greater than 499; and

18 (2) the operator has not been cited within the preceding five years for a traffic
 19 law violation with a demerit point value of six or more on the point schedule determined under
 20 regulations adopted by the department under AS 28.15.221; or

21 (3) the vehicle will travel on state highways less than five percent of its total
 22 hours of operation [THE MOTOR VEHICLE IS REGISTERED UNDER AS 28.10.181(k)].

23 * Sec. 17. AS 41.21.020(a) is amended to read:

24 (a) The department shall

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

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

30 (3) acquire by gift, purchase, or transfer from state or federal agencies, or from
 31 individuals, corporations, partnerships or associations, land necessary, suitable and proper for

1 roadside, picnic, recreational, or park purposes;

2 (4) control, develop, and maintain state parks and recreational areas;

3 (5) provide for the acquisition, care, control, supervision, improvement,
4 development, extension, and maintenance of public recreational land, and make necessary
5 arrangements, contracts, or commitments for the improvement and development of land acquired
6 under AS 41.21.010 - 41.21.040; contracting for improvement and development under this
7 paragraph is governed by AS 36.30 (State Procurement Code);

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

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

15 (8) encourage the organization of state public park and recreational activities in
16 the local political subdivisions of the state;

17 (9) provide for consulting service designed to develop local park and recreation
18 facilities and programs;

19 (10) provide clearinghouse services for other state agencies concerned with park
20 and recreation matters;

21 (11) perform other duties as are prescribed by executive order or by law;

22 (12) maintain memorials to Alaska veterans located in state parks; [AND]

23 (13) adopt, in accordance with the Administrative Procedure Act (AS 44.62),
24 regulations governing the use of the Chena River State Recreation Area and designating
25 incompatible uses within the boundaries of the Chena River State Recreation Area in accordance
26 with AS 41.21.490; and

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

29 * Sec. 18. AS 41.21.026(a) is amended to read:

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

- 1 (1) rental of public use cabins or other overnight lodgings;
2 (2) ~~[OVERNIGHT]~~ use of a developed or en route campsite;
3 (3) special park use permits;
4 (4) competitive and exclusive commercial use permits;
5 (5) noncompetitive and nonexclusive commercial use permits;
6 (6) use of a sewage holding tank dump station;
7 (7) admission to or guided tours of visitor centers or historic sites; [AND]
8 (8) use of an improved boat ramp in a park facility developed principally for boat
9 launching;
10 (9) sale of
11 (A) firewood;
12 (B) merchandise related to public use, enjoyment, and understanding
13 of parks, including maps, plans, and other graphic materials;
14 (10) use of a developed trailhead, access site, or picnic site, that has parking,
15 rest rooms, and refuse collection; and
16 (11) the presentation or attendance at programs related to natural or cultural
17 history, outdoor skills or education, or other topics concerned with public use, enjoyment,
18 or understanding of parks.

19 * Sec. 19. AS 41.21.026(e) is amended to read:

20 (e) In this section,

21 (1) "developed campsite" means a campsite having access to the following public
22 facilities:

23 (A) [(1)] rest rooms;

24 (B) [(2)] a picnic table;

25 (C) [(3)] an outdoor cooking facility; and

26 (D) [(4)] an approved water source;

27 (2) "en route campsite" means a campsite intended principally for short-term
28 occupation while in transit between destinations, and not necessarily having any of the
29 public facilities required for a developed campsite under (1) of this subsection.

30 * Sec. 20. AS 42.05 is amended by adding a new section to read:

31 Sec. 42.05.253. PUBLIC UTILITY REGULATORY COST CHARGE. (a) A public

1 utility operating in the state shall pay to the commission an annual regulatory cost charge in an
2 amount not to exceed the following:

3 (1) for regulated utilities, .61 percent of gross revenue derived from operations
4 in the state, as modified under (c) of this section if appropriate;

5 (2) for exempt utilities, .122 percent of gross revenue derived from operations in
6 the state, as modified under (c) of this section if appropriate.

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

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

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

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

19 (d) The commission shall administer, collect, and enforce the charge imposed under this
20 section.

21 (e) The commission shall adopt regulations to allow a public utility to recover all
22 payments made to the commission under this section. The commission may not require a public
23 utility to file a rate case in order to be eligible to recover the regulatory cost charge.

24 (f) The commission may adopt regulations under AS 44.62 (Administrative Procedure
25 Act) necessary to administer this section, including requirements and procedures for reporting
26 information and making quarterly payments, for investigating the accuracy of filed information,
27 and for collecting required payments.

28 (g) In this section,

29 (1) "exempt utility" means a public utility that is certificated by the commission
30 under AS 42.05.221 - 42.05.281 but, under AS 42.05.711, is exempt from other regulatory
31 requirements of this chapter;

1 (2) "gross revenue" means the total operating revenue from intrastate services, as
2 shown in a utility's annual report prepared under the uniform system of accounts established by
3 the commission by regulation; except in the case of a long-distance carrier telephone utility,
4 "gross revenue" includes all toll revenue, including toll settlements payments;

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

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

11 * Sec. 21. AS 42.05.651(a) is amended to read:

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

22 * Sec. 22. AS 42.06 is amended by adding a new section to read:

23 Sec. 42.06.285. PIPELINE CARRIER REGULATORY COST CHARGE. (a) A pipeline
24 carrier operating in the state shall pay to the commission an annual regulatory cost charge in an
25 amount not to exceed .6 percent of gross revenue derived from operations in the state.

26 (b) The commission shall by regulation establish a method to determine annually the
27 amount of the regulatory cost charge. If the amount the commission expects to collect under (a)
28 of this section exceeds the authorized budget of the commission for the fiscal year, the
29 commission shall, by order, reduce the percentage set out in (a) of this section so that the total
30 amount of the fees collected approximately equals the authorized budget of the commission for
31 the fiscal year.

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

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

7 (e) In this section, "gross revenue" means the total intrastate operating revenue as shown
8 in a pipeline carrier's annual report prepared under the uniform system of accounts established
9 by the commission by regulation.

10 * Sec. 23. AS 42.06.610(a) is amended to read:

11 (a) During a proceeding held under this chapter, the commission shall allocate the cost
12 of the proceeding among the parties, including the commission, as is just under the
13 circumstances. In allocating costs, the commission shall consider the regulatory cost charge
14 paid by the pipeline carrier under AS 42.06.285. The costs allocated may include the costs
15 of any time devoted to investigations or hearings by hired consultants, whether or not the
16 consultants appear as witnesses or participants. The commission shall provide an opportunity for
17 any person objecting to an allocation to be heard before the allocation becomes final.

18 * Sec. 24. AS 44.21.310(b) is amended to read:

19 (b) The department may

20 (1) coordinate its functions with local, regional, state, and federal officials, private
21 groups and individuals, and with officials of other countries, provinces, and states;

22 (2) enter into contracts and subcontracts on behalf of the state to carry out the
23 provisions of AS 44.21.305 - AS 44.21.330;

24 (3) act for the state in the initiation, investigation, and evaluation of, or
25 participation in, programs related to the purposes of the department that [WHICH] involve more
26 than one government or governmental unit;

27 (4) on behalf of the state, apply for, accept, and expend gifts or grants made to
28 the state if the gifts or grants are for the purposes of furthering the objectives of the department;
29 [AND]

30 (5) hold public hearings to obtain information for the purpose of carrying out the
31 provisions of AS 44.21.305 - 44.21.330; and

1 **(6) charge a fee for telecommunication services provided by the department**
2 **to commercial entities for television broadcast.**

3 * Sec. 25. AS 44.21.410(a) is amended to read:

4 (a) The office of public advocacy shall

5 (1) perform the duties of the public guardian under AS 13.26.360 - 13.26.410;

6 (2) provide visitors and experts in guardianship proceedings under AS 13.26.131;

7 (3) provide guardian ad litem services to children in child protection actions under
8 AS 47.17.030(e) and to wards and respondents in guardianship proceedings who will suffer
9 financial hardship or become dependent upon a government agency or a private person or agency
10 if the services are not provided at state expense under AS 13.26.112;

11 (4) provide legal representation in guardianship proceedings to respondents who
12 are financially unable to employ attorneys under AS 13.26.106(b), to indigent parties in cases
13 involving child custody in which the opposing party is represented by counsel provided by a
14 public agency, to indigent parents or guardians of a minor respondent in a commitment
15 proceeding concerning the minor under AS 47.30.775;

16 (5) provide legal representation and guardian ad litem services under
17 AS 25.24.310; in cases arising under AS 47.15 (Uniform Interstate Compact on Juveniles); in
18 cases involving petitions to adopt a minor under AS 25.23.125(b) or petitions for the termination
19 of parental rights on grounds set out in AS 25.23.180(c)(3); in cases involving petitions to
20 remove the disabilities of a minor under AS 09.55.590; in children's proceedings under
21 AS 47.10.050(a); and in cases involving indigent persons who are entitled to representation under
22 AS 18.85.100 and who cannot be represented by the public defender agency because of a conflict
23 of interests;

24 (6) develop and coordinate a program to recruit, select, train, assign, and supervise
25 volunteer guardians ad litem from local communities to aid in delivering services in cases in
26 which the office of public advocacy is appointed as guardian ad litem;

27 (7) provide guardian ad litem services in proceedings under AS 12.45.046;

28 **(8) establish a fee schedule and collect fees for services provided by the office,**
29 **except as provided in AS 18.85.120 or when imposition or collection of a fee is not in the**
30 **public interest as defined under regulations adopted by the commissioner of administration.**

31 * Sec. 26. AS 44.28 is amended by adding new sections to read:

1 **Sec. 44.28.040. FEES.** Notwithstanding AS 09.25.110 - 09.25.130, the department may
2 establish by regulation and may charge reasonable fees for

3 (1) training; and

4 (2) departmental publications and research data to cover the cost of reproduction,
5 printing, mailing, and distribution.

6 **Sec. 44.28.090. DEFINITIONS.** In this chapter,

7 (1) "commissioner" means the commissioner of corrections;

8 (2) "department" means the Department of Corrections.

9 * **Sec. 27.** AS 44.46.025(a) is amended to read:

10 (a) The Department of Environmental Conservation may adopt regulations that prescribe
11 reasonable fees, and establish procedures for the collection of the fees, to cover the direct costs
12 of the following services provided by the department:

13 (1) inspections, permit administration, plan review and approval, and other related
14 services provided under AS 03.05, AS 17.20, and AS 18.35;

15 (2) air quality permits under AS 46.03.140 and 46.03.160;

16 (3) hazardous waste permits under AS 46.03.299 and 46.03.302;

17 (4) plan approvals and permits for sewerage system and treatment works and
18 wastewater disposal systems, and plan approvals for drinking water systems, under AS 46.03.720;

19 (5) oil discharge financial responsibility approvals under AS 46.04.040;

20 (6) oil discharge contingency plan approvals under AS 46.04.030;

21 (7) water and wastewater operator training under AS 46.30;

22 (8) inspections under AS 44.46.020 of swimming pools, spas, hot tubs,
23 barbershops, hairdressing and cosmetological establishments, daycare residential child care
24 facilities, adult residential care facilities, pre-elementary school facilities, facilities that sell
25 or commercially produce compressed air for human respiration, and public
26 accommodations;

27 (9) inspections under AS 18.35.220 of public facilities, toilets, lavatories,
28 showers, laundromats, and tattoo parlors;

29 (10) siting approvals of hazardous waste management facilities issued under
30 AS 46.03.296;

31 (11) reviews of sewage and industrial waste disposal or treatment plans

1 conducted under AS 46.03.090;

2 (12) permits for applications of pesticides and broadcast chemicals issued
3 under AS 46.03.320.

4 * Sec. 28. AS 44.50.040 is amended to read:

5 Sec. 44.50.040. FEES. A fee established by the lieutenant governor by regulation [OF
6 \$40] shall be paid to the lieutenant governor for each commission issued to a person other than
7 a state employee.

8 * Sec. 29. TEMPORARY FEES IN STATE PARKS. (a) The following fees apply for the following
9 activities in units of the state park system until the Department of Natural Resources adopts a regulation
10 under AS 41.21.026(c) that establishes a fee for that activity:

- 11 (1) sale of firewood \$4 per bundle;
12 (2) use of a developed trailhead, access site, or picnic site, that has parking, rest rooms,
13 and refuse collection \$2 per vehicle, or \$25 for an annual pass;
14 (3) admission to visitor centers or historic sites \$1 per person;
15 (4) use of an en route campsite \$3 per vehicle.

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. 30. Section 29 of this Act is repealed on a date that is two years after the effective date of this
19 section.

20 * Sec. 31. AS 08.01.065(b) and AS 08.62.040(a)(4)(B) are repealed.

21 * Sec. 32. AS 28.10.165, 28.10.181(k), 28.10.411(f), 28.10.421(f), and AS 28.15.271(b) are repealed.

22 * Sec. 33. Section 11 of this Act takes effect January 1, 1996.

23 * Sec. 34. Sections 8 - 10, 12 - 16, and 32 of this Act take effect January 1, 1993.

24 * Sec. 35. Sections 20 - 23 of this Act take effect July 1, 1992.

25 * Sec. 36. Except as provided in secs. 33 - 35 of this Act, this Act takes effect immediately under
26 AS 01.10.070(c).