

CS FOR HOUSE BILL NO. 65(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/1/93

Referred: State Affairs, Judiciary, Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to licenses, certificates, and permits administered and fees  
2 charged by the Alcoholic Beverage Control Board, the office of public advocacy,  
3 the Alaska Commission on Postsecondary Education, the Department of Labor, the  
4 Alaska Police Standards Council, the Department of Natural Resources, and the  
5 Department of Environmental Conservation; relating to the administration of the  
6 state insurance catastrophe reserve account; authorizing the Department of Natural  
7 Resources to accept certain donations for parks and recreation; relating to fiscal  
8 reporting and accounting by the Department of Administration; and amending  
9 Alaska Rule of Probate Procedure 16(d); and providing for an effective date."

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

11 \* Section 1. AS 04.11.090(b) is amended to read:

12 (b) The biennial [ANNUAL] beverage dispensary license fee is \$2.500

1           [\$1,250].

2   \* Sec. 2. AS 04.11.100(d) is amended to read:

3           (d) The biennial [ANNUAL] fee for a restaurant or eating place license is  
4           \$600 [\$300].

5   \* Sec. 3. AS 04.11.100(e) is amended to read:

6           (e) A license may be renewed under this section only if the licensee provides  
7           evidence to the board's satisfaction that gross receipts from the sale of food upon the  
8           licensed premises constitute no less than 50 percent of the gross receipts of the  
9           licensed premises for each of the two preceding calendar years [LICENSE YEAR].

10   \* Sec. 4. AS 04.11.110(c) is amended to read:

11           (c) The biennial [ANNUAL] club license fee is \$1,200 [\$600].

12   \* Sec. 5. AS 04.11.120(c) is amended to read:

13           (c) The biennial [ANNUAL] bottling works license fee is \$500 [\$250].

14   \* Sec. 6. AS 04.11.130(d) is amended to read:

15           (d) The biennial [ANNUAL] brewery license fee is \$1,000 [\$500].

16   \* Sec. 7. AS 04.11.135(c) is amended to read:

17           (c) The biennial [ANNUAL] brewpub license fee is \$500 [\$250].

18   \* Sec. 8. AS 04.11.140(d) is amended to read:

19           (d) The biennial [ANNUAL] winery license fee is \$500 [\$250].

20   \* Sec. 9. AS 04.11.150(b) is amended to read:

21           (b) The biennial [ANNUAL] package store license fee is \$1,500 [\$750].

22   \* Sec. 10. AS 04.11.160(a) is amended to read:

23           (a) A general wholesale license authorizes the holder to sell alcoholic  
24           beverages in the original package, and wine in bulk, in quantities of not less than five  
25           gallons. A holder of a general wholesale license may not sell to a person not licensed  
26           under this title, except as provided in AS 04.21.040. A holder of a general wholesale  
27           license may not sell alcoholic beverages unless any stamps required to be affixed to  
28           the package by state or federal law are intact on the package. A wholesaler must  
29           obtain a general wholesale license for each distributing point. The biennial  
30           [ANNUAL] general wholesale license fee is \$2,000 [\$1,000 FOR THE FIRST  
31           \$100,000 OF BUSINESS TRANSACTED], payable at the time of making an original

1 application or an application for renewal. In addition, the following annual fees shall  
2 be paid by a holder of a general wholesale license:

3	<u>Total</u> Business Transacted During <u>Calendar</u> Year	<u>Annual</u> Fee
4	over \$100,000 and not over \$150,000 .....	\$ 500
5	over \$150,000 and not over \$200,000 .....	\$ 1,000
6	over \$200,000 and not over \$250,000 .....	\$ 1,500
7	over \$250,000 and not over \$300,000 .....	\$ 2,000
8	over \$300,000 and not over \$350,000 .....	\$ 2,500
9	over \$350,000 and not over \$400,000 .....	\$ 3,000
10	over \$400,000 and not over \$500,000 .....	\$ 4,000
11	over \$500,000 and not over \$600,000 .....	\$ 5,000
12	over \$600,000 and not over \$700,000 .....	\$ 6,000
13	over \$700,000 and not over \$800,000 .....	\$ 7,000
14	over \$800,000 and not over \$1,000,000 .....	\$ 9,000
15	over \$1,000,000 .....	\$10,000.

16 \* Sec. 11. AS 04.11.160(b) is amended to read:

17 (b) A wholesale malt beverage and wine license authorizes the holder to sell  
18 malt beverages and wine in the original packages in quantities of not less than five  
19 gallons. The holder of a wholesale malt beverage and wine license may not sell to a  
20 person not licensed under this title except as provided in AS 04.21.040. The biennial  
21 [ANNUAL] wholesale malt beverage and wine license fee is \$400 [DELETED TEXT BRACKETED]  
22 FIRST \$20,000 OF BUSINESS TRANSACTED DURING A YEAR], payable at the  
23 time of making an original application or application for renewal. In addition, the  
24 following annual fees shall be paid by a holder of a wholesale malt beverage and wine  
25 license:

26	<u>Total</u> Business Transacted During <u>Calendar</u> Year	<u>Annual</u> Fee
27	over \$20,000 and not over \$50,000 .....	\$ 300
28	over \$50,000 and not over \$100,000 .....	\$ 1,000
29	over \$100,000 and not over \$150,000 .....	\$ 1,500
30	over \$150,000 and not over \$200,000 .....	\$ 2,000
31	over \$200,000 and not over \$400,000 .....	\$ 4,000

1	over \$400,000 and not over \$600,000	.....	\$ 6,000
2	over \$600,000 and not over \$800,000	.....	\$ 8,000
3	over \$800,000	.....	\$10,000.

4 \* Sec. 12. AS 04.11.160(c) is amended to read:

5 (c) No later than February 28 of each year [FOLLOWING THE YEAR FOR  
6 WHICH A LICENSE HAS BEEN ISSUED UNDER THIS SECTION], the licensee  
7 shall file with the board an affidavit showing the total business transacted during the  
8 preceding calendar year under the license and the location of the licensed premises  
9 at which the business was transacted. At the time of filing the affidavit, the licensee  
10 shall pay the additional annual [LICENSE] fees accrued under (a) and (b) of this  
11 section during the preceding calendar year.

12 \* Sec. 13. AS 04.11.170(c) is amended to read:

13 (c) The biennial [ANNUAL] distillery license fee is \$1,000 [\$500].

14 \* Sec. 14. AS 04.11.180(b) is amended to read:

15 (b) The biennial [ANNUAL] fee for a common carrier dispensary license is  
16 \$700 [\$350] for each vehicle, boat, aircraft, or railroad buffet car in which alcoholic  
17 beverages are served.

18 \* Sec. 15. AS 04.11.210(b) is amended to read:

19 (b) The biennial [ANNUAL] fee for a recreational site license is \$800 [\$400].

20 \* Sec. 16. AS 04.11.220(d) is amended to read:

21 (d) The biennial [ANNUAL] fee for a pub license is \$800 [\$400].

22 \* Sec. 17. AS 04.11.250(a) is amended to read:

23 (a) A conditional contractor's permit authorizes the holder to sell beer or wine  
24 for consumption only on designated premises for two years [ONE YEAR] from the  
25 date of issuance of the permit at construction sites that are located outside a city and  
26 inside the boundaries of a military or naval reservation.

27 \* Sec. 18. AS 04.11.250(b) is amended to read:

28 (b) An applicant for a conditional contractor's permit must obtain and file with  
29 the board written permission from the commanding officer of the military or naval  
30 reservation and the prime contractor of the remotely situated project for the conduct  
31 of the activities authorized by the permit. A conditional contractor's permit may be

1 renewed biennially [ANNUALLY] upon reapplication for a permit and may be  
2 revoked or suspended at the discretion of the commanding officer or the prime  
3 contractor.

4 \* Sec. 19. AS 04.11.250(d) is amended to read:

5 (d) The biennial [ANNUAL] conditional contractor's permit fee is \$1,200  
6 [\$600].

7 \* Sec. 20. AS 04.11.270(a) is amended to read:

8 (a) An application for renewal of a license or renewal of a conditional  
9 contractor's permit must include [:]

10 (1) the information required for a new license or permit under  
11 AS 04.11.260 except that proof of notice under AS 04.11.310 is not required; and

12 (2) a list of all convictions of the applicant of violations of this title,  
13 a regulation adopted under this title, or an ordinance adopted under AS 04.21.010, that  
14 occurred in the preceding two calendar years [YEAR].

15 \* Sec. 21. AS 04.11.270(b) is repealed and reenacted to read:

16 (b) A license shall be renewed as follows:

17 (1) on or before November 1 of each year, the director shall mail a  
18 renewal application to each licensee whose license, unless renewed, will expire on  
19 December 31 of that year; the application shall be mailed to the licensee at the  
20 licensed premises or at a mailing address furnished by the licensee;

21 (2) the licensee shall submit the completed renewal application and the  
22 biennial license fee to the director on or before December 31;

23 (3) a renewal application filed after December 31 is delinquent and  
24 must be accompanied by a \$200 penalty fee;

25 (4) if December 31 falls on a weekend or a state holiday, the deadline  
26 is extended to the first business day following December 31.

27 \* Sec. 22. AS 04.11.330(a) is amended to read:

28 (a) An application requesting renewal of a license shall be denied if

29 (1) the board finds, after review of all relevant information, that  
30 renewal of the license would not be in the best interests of the public;

31 (2) the license has been revoked for any cause;

1 (3) the applicant has not operated the licensed premises for at least 30  
2 eight-hour days during each of the two preceding calendar years [THE  
3 IMMEDIATELY PRECEDING CALENDAR YEAR], unless the board determines that  
4 the licensed premises are under construction or cannot be operated through no fault of  
5 the applicant;

6 (4) the board finds that issuance of an existing license under  
7 AS 04.11.400(g) has not encouraged tourist trade;

8 (5) the requirements of AS 04.11.420 - 04.11.450 relating to zoning,  
9 ownership of the license, and financing of the licensee have not been met;

10 (6) renewal of the license would violate the restrictions pertaining to  
11 the particular license under this title;

12 (7) renewal of the license is prohibited under this title as a result of an  
13 election conducted in accordance with AS 04.11.502;

14 (8) the application has not been completed in accordance with  
15 AS 04.11.270;

16 (9) the license was issued under AS 04.11.400(j), and the board finds  
17 that the public convenience does not require renewal.

18 \* Sec. 23. AS 04.11.330(d) is amended to read:

19 (d) Notwithstanding (a) (3) of this section, a recreational site license issued  
20 under AS 04.11.210 may be renewed if the license was exercised at least once during  
21 each of the two [THE IMMEDIATELY] preceding calendar years [YEAR].

22 \* Sec. 24. AS 04.11.490(b) is amended to read:

23 (b) If a majority of the voters vote "yes" on the question set out in (a) of this  
24 section, the board shall be notified immediately after certification of the results of the  
25 election and thereafter the board may not issue, renew, or transfer between holders or  
26 locations a license for licensed premises located within the boundaries of the [A]  
27 municipality and in unincorporated areas within five miles of the boundaries of the  
28 municipality or within the perimeter of the [AN] established village. Licenses that  
29 may not be renewed because of a local option election held under this section are void  
30 90 days after the results of the election are certified. A license that will expire during  
31 the 90 days after the results of a local option election under this section are certified

1 may be extended, until it is void under this subsection, by payment of a prorated  
2 portion of the biennial [ANNUAL] license fee.

3 \* Sec. 25. AS 04.11.492(b) is amended to read:

4 (b) If a majority of the voters vote "yes" on the question set out in (a) of this  
5 section, the board shall be notified immediately after certification of the results of the  
6 election and thereafter may not issue, renew, or transfer between holders or locations  
7 a license for licensed premises located within the boundaries of the [A] municipality  
8 and in unincorporated areas within five miles of the boundaries of the municipality,  
9 with the exception of a beverage dispensary or package store operated under a  
10 community liquor license held by the municipality. Licenses in effect are void 90 days  
11 after the results of the election are certified. A license that will expire during the 90  
12 days after the results of a local option election under this section are certified may be  
13 extended, until it is void under this subsection, by payment of a prorated portion of the  
14 biennial [ANNUAL] license fee.

15 \* Sec. 26. AS 04.11.496(b) is amended to read:

16 (b) If a majority of the voters vote "yes" on the question set out in (a) of this  
17 section, a person, beginning on the first day of the month following certification of the  
18 results of the election, may not knowingly send, transport, or bring an alcoholic  
19 beverage into the municipality or established village, unless the alcoholic beverage is  
20 sacramental wine to be used for bona fide religious purposes based on tenets or  
21 teachings of a church or religious body, is limited in quantity to the amount necessary  
22 for religious purposes, and is dispensed only for religious purposes by a person  
23 authorized by the church or religious body to dispense the sacramental wine. The board  
24 shall be notified immediately after certification of the results of the election and  
25 thereafter may not issue, renew, or transfer between holders or locations a license for  
26 licensed premises located within the boundaries of the municipality and within  
27 unincorporated areas within five miles of the boundaries of the municipality or within  
28 the perimeter of the established village. Licenses that may not be renewed because of  
29 a local option election held under this section are void 90 days after the results of the  
30 election are certified. A license that will expire during the 90 days after the results of  
31 a local option election under this section are certified may be extended, until it is void

1 under this subsection, by payment of a prorated portion of the biennial [ANNUAL]  
2 license fee.

3 \* Sec. 27. AS 04.11.498(c) is amended to read:

4 (c) If a majority of the voters of an established village vote "yes" on the  
5 question set out in (a) of this section and the sale of alcoholic beverages, or the sale  
6 and importation of alcoholic beverages, has not been previously prohibited in the  
7 established village in accordance with AS 04.11.490 or 04.11.496, a person, beginning  
8 90 days after certification of the results of the election, may not knowingly possess an  
9 alcoholic beverage in the established village, unless the person is licensed by the board  
10 or the alcoholic beverage is wine to be used for bona fide religious purposes based on  
11 tenets or teachings of a church or religious body, is limited in quantity to the amount  
12 necessary for religious purposes, and is dispensed only for religious purposes by a  
13 person recognized by the church or religious body as authorized to dispense the wine.  
14 The board shall be notified immediately after certification of the results of the election  
15 and thereafter may not issue, renew, or transfer between holders or locations a license  
16 for licensed premises located within the perimeter of the established village as defined  
17 in AS 04.21.080(b). Licenses that may not be renewed because of a local option  
18 election held under this section are void 90 days after the results of the election are  
19 certified. A license that will expire during the 90 days after the results of a local  
20 option election under this section are certified may be extended until it is void under  
21 this subsection [SECTION], by payment of a prorated portion of the biennial  
22 [ANNUAL] license fee.

23 \* Sec. 28. AS 04.11.498(e) is amended to read:

24 (e) If a majority of the voters of a municipality vote "yes" on the question set  
25 out in (a) of this section and the sale of alcoholic beverages, or the sale and  
26 importation of alcoholic beverages, has not been previously prohibited in the  
27 municipality in accordance with AS 04.11.490 or 04.11.496, an ordinance is adopted  
28 that becomes effective beginning 90 days after certification of the results of the  
29 election, and a person may not knowingly possess an alcoholic beverage in the  
30 municipality, unless the alcoholic beverage is wine to be used for bona fide religious  
31 purposes based on tenets or teachings of a church or religious body, is limited in

1 quantity to the amount necessary for religious purposes, and is dispensed only for  
2 religious purposes by a person recognized by the church or religious body as  
3 authorized to dispense the wine. The board shall be notified immediately after the  
4 adoption of the ordinance and thereafter may not issue, renew, or transfer between  
5 holders or locations a license for licensed premises located within the boundaries of  
6 the municipality and within unincorporated areas within five miles of the boundaries  
7 of the municipality. Licenses that may not be renewed because of a local option  
8 election held under this section are void 90 days after the results of the election are  
9 certified. A license that will expire during the 90 days after the results of a local  
10 option election under this section are certified may be extended, until it is void under  
11 this subsection [SECTION], by payment of a prorated portion of the biennial  
12 [ANNUAL] fee.

13 \* Sec. 29. AS 04.11.500(b) is amended to read:

14 (b) If a majority of the voters vote "yes" on the question set out in (a) of this  
15 section, the board shall be notified immediately after certification of the results of the  
16 election and thereafter may not issue, renew, or transfer between holders or locations  
17 a license for licensed premises located within the boundaries of the municipality and  
18 in unincorporated areas within five miles of the boundaries of the municipality or  
19 within the perimeter of the established village, except those types of licenses listed on  
20 the ballot. Licenses in effect within the boundaries of the municipality or perimeter  
21 of the established village, and in an unincorporated area outside of but within five  
22 miles of the boundaries of the municipality, except those types of licenses listed on the  
23 ballot, are void 90 days after the results of the election are certified. A license that  
24 will expire during the 90 days after the results of a local option election under this  
25 section are certified may be extended, until it is void under this subsection, by payment  
26 of a prorated portion of the biennial [ANNUAL] license fee.

27 \* Sec. 30. AS 04.11.500(c) is amended to read:

28 (c) If the majority of the voters vote "no" on the question set out in (a) of this  
29 section or vote "yes" on the questions set out in AS 04.11.490, 04.11.492, 04.11.496,  
30 or this section if different types of licenses are listed on the ballot in an election  
31 conducted in accordance with AS 04.11.502 after an election in which the voters voted

1 "yes" on the question set out in (a) of this section, the board shall be notified  
2 immediately after certification of the results of the election. Licenses in effect in the  
3 municipality, in the unincorporated area outside of but within five miles of the  
4 boundaries of the municipality or established village that were excepted from the  
5 prohibition on sale in accordance with the results of the earlier election are void 90  
6 days after the results of the election are certified. Thereafter the board may not issue,  
7 renew, or transfer between holders or locations a license for licensed premises located  
8 within the boundaries of the municipality or within the perimeter of an established  
9 village, or in an unincorporated area within five miles of the boundaries of the  
10 municipality, except a license that may be issued to a municipality or to one of the  
11 types of licenses listed on the ballot as a result of a majority of the voters voting "yes"  
12 on the question set out in AS 04.11.492 or this section, respectively. A license that  
13 will expire during the 90 days after the results of a local option election under this  
14 section are certified may be extended, until it is void under this subsection, by payment  
15 of a prorated portion of the biennial [ANNUAL] license fee.

16 \* Sec. 31. AS 04.11.610(a) is amended to read:

17 (a) Biennial [ANNUAL] license fees, excluding annual wholesale fees and  
18 biennial wholesale license fees, collected within a municipality shall be refunded  
19 semi-annually to the municipality.

20 \* Sec. 32. AS 04.11.680(a) is amended to read:

21 (a) Upon application and payment of one-quarter [ONE-HALF] of the  
22 biennial [ANNUAL] fee, the board may issue a license under this title that will be  
23 effective for a continuous six-month period. Otherwise, all licenses issued under this  
24 title other than a retail stock sale license are effective for the two calendar years  
25 [YEAR] ending December 31, unless a shorter period is prescribed by the board or by  
26 law.

27 \* Sec. 33. AS 13.26.410(a) is repealed and reenacted to read:

28 (a) The commissioner of administration may establish by regulation a schedule  
29 of reasonable fees for the costs of the public guardian's services. The fee schedule  
30 established may be based upon the ability of the ward or protected person to pay for  
31 guardian services but may not exceed the actual cost of providing public guardian

1 services. The Office of Public Advocacy shall charge and collect the fees established  
2 under this subsection, but may waive collection of a fee upon a finding that collection  
3 is not economically feasible or in the public interest.

4 \* Sec. 34. AS 13.26.410(c) is amended to read:

5 (c) The public guardian may [SHALL] investigate the financial status of

6 (1) a person who requests the appointment of the public guardian as the  
7 person's guardian or conservator; and

8 (2) a ward for whom a court has appointed the public guardian.

9 \* Sec. 35. AS 13.26.410 is amended by adding a new subsection to read:

10 (f) The annual estimated balance in the account maintained under  
11 AS 37.05.142 may be used by the legislature to make appropriations to the Department  
12 of Administration to carry out the purposes of AS 44.21.400 - 44.21.410 (office of  
13 public advocacy).

14 \* Sec. 36. AS 14.43.120(a) is amended to read:

15 (a) Proceeds from a scholarship loan to a full-time student may only be used  
16 for books, tuition and required fees, loan guarantee fees, and [FOR] room and board.  
17 Proceeds from a scholarship loan to a half-time student may only be used for books,  
18 [AND] tuition and required fees, and loan guarantee fees.

19 \* Sec. 37. AS 14.43.120(h) is amended to read:

20 (h) Security may not be required for a loan; however, a loan guarantee fee,  
21 as specified in (u) of this section, shall be charged at the time that the loan is  
22 awarded. Additionally, provision shall be made for payment of all fees and costs  
23 incurred in collection of the amount owed on the loan if it becomes delinquent or in  
24 default.

25 \* Sec. 38. AS 14.43.120 is amended by adding a new subsection to read:

26 (u) A loan guarantee fee of one percent of the total scholarship loan amount  
27 shall be assessed upon a scholarship loan that is funded from the student loan fund of  
28 the Alaska Student Loan Corporation. The loan guarantee fee shall be added as a  
29 finance charge to the total loan amount awarded, notwithstanding the loan limits set  
30 out at AS 14.43.110 and 14.43.115. The loan guarantee fees shall be deposited into  
31 a guarantee fee account within the student loan fund of the Alaska Student Loan

1 Corporation, and, subject to appropriation, subsequently transferred by the commission  
2 to loan accounts within the student loan fund to offset losses incurred due to student  
3 loan debt cancellation as a result of death, disability, or bankruptcy of the student.

4 \* Sec. 39. AS 14.43.300(a) is amended to read:

5 (a) A scholarship loan to a recipient under AS 14.43.250(b)(1) - (4) or (6) may  
6 not exceed \$2,500 a school year for an undergraduate student or \$5,000 a school year  
7 for a graduate student, exclusive of loan guarantee fees under (g) of this section, and  
8 may not be made to a student for more than six years. A scholarship loan to a  
9 recipient under AS 14.43.250(b)(5) may not exceed the cost of tuition and required  
10 fees, loan guarantee fees under (g) of this section, books and educational supplies,  
11 room and board, and transportation for two round trips between the recipient's home  
12 and school each year. A loan under AS 14.43.250(b)(5) may not be made for more  
13 than five years of undergraduate study, five years of graduate study, or a combined  
14 maximum of eight years of study.

15 \* Sec. 40. AS 14.43.300 is amended by adding a new subsection to read:

16 (g) A loan guarantee fee of one percent of the total memorial scholarship loan  
17 amount shall be assessed upon a memorial scholarship loan. The loan guarantee fee  
18 shall be added as a finance charge to the total loan amount awarded. The loan  
19 guarantee fee shall be deposited into a guarantee fee account within the memorial  
20 scholarship revolving loan fund, and, subject to appropriation, subsequently transferred  
21 by the commission to the appropriate memorial scholarship accounts within the  
22 memorial scholarship revolving loan fund to offset losses incurred due to loan debt  
23 cancellation as a result of death, disability, or bankruptcy of the student.

24 \* Sec. 41. AS 14.43.640(c) is amended to read:

25 (c) A loan may not exceed \$7,500 in a school year, exclusive of loan  
26 guarantee fees.

27 \* Sec. 42. AS 14.43.640(d) is amended to read:

28 (d) Proceeds from a teacher scholarship loan may be used only for  
29 undergraduate expenses of books, tuition, required fees, loan guarantee fees, room and  
30 board, and the transportation expense for two round trips between the loan recipient's  
31 home and school.

1 \* Sec. 43. AS 14.43.740(a) is amended to read:

2 (a) The provisions of AS 14.43.100, 14.43.110, 14.43.115, 14.43.120(a) - (d),  
3 (i), (m), and (r) - (u) [(r) - (t)], and 14.43.135 apply to a loan made under  
4 AS 14.43.710 - 14.43.790.

5 \* Sec. 44. AS 18.60.220 is amended to read:

6 Sec. 18.60.220. DUTIES OF THE DEPARTMENT OF LABOR. The  
7 Department of Labor shall

8 (1) have all violators of AS 18.60.180 - 18.60.390 prosecuted;

9 (2) issue, suspend, or revoke for cause, inspection certificates provided  
10 for in AS 18.60.390;

11 (3) take action necessary for the enforcement of the laws and  
12 regulations governing the use of boilers and unfired pressure vessels;

13 (4) keep a complete record of the type, dimensions, maximum  
14 allowable working pressure, age, condition, location, and date of the last recorded  
15 internal inspection of boilers and unfired pressure vessels to which AS 18.60.180 -  
16 18.60.390 apply;

17 (5) adopt regulations establishing reasonable fees for administering  
18 special inspector examinations and for processing applications for special  
19 inspector commissions; and

20 (6) do acts necessary to carry out the purposes of AS 18.60.180 -  
21 18.60.390.

22 \* Sec. 45. AS 18.62.020 is amended to read:

23 Sec. 18.62.020. APPLICATION FOR AND ISSUANCE OF CERTIFICATE.  
24 The department shall issue certificates of fitness, including renewal [VALID FOR  
25 ONE YEAR AND] certificates, for a time period determined by the department by  
26 regulation [OF FITNESS VALID FOR THREE YEARS]. The certificate shall be  
27 issued only to an individual. An applicant for a certificate shall apply in writing,  
28 under oath, on a form prescribed by the department containing

29 (1) the name and address of the applicant;

30 (2) the applicant's age;

31 (3) the applicant's citizenship; and

1 (4) [WHETHER THE APPLICANT IS APPLYING FOR A  
2 ONE-YEAR OR A THREE-YEAR CERTIFICATE; AND

3 (5)] other information relevant to licensing that the department requires.

4 \* Sec. 46. AS 18.62.030 is repealed and reenacted to read:

5 Sec. 18.62.030. FEES. (a) The Department of Labor shall adopt regulations  
6 establishing reasonable fees for applications, examinations, certificates, renewal  
7 certificates, and duplicate certificates.

8 (b) When submitting an application for a certificate of fitness, an applicant  
9 shall pay a nonrefundable application and examination fee. After passing the  
10 application review and examination, an applicant shall pay a fee for the certificate of  
11 fitness and, at the time of renewal, for renewal of that certificate.

12 \* Sec. 47. AS 18.65.220 is amended by adding a new paragraph to read:

13 (7) charge and collect reasonable fees, established by the council by  
14 regulation, for processing applications for basic certification of police, probation,  
15 parole, and correctional officers under 13 AAC 85.040 and 13 AAC 85.230.

16 \* Sec. 48. AS 23.15.390 is amended to read:

17 Sec. 23.15.390. FEES. The fee for filing an application for a permit is \$100  
18 [\$10]. All fees shall be deposited in the general fund. In addition to paying this fee,  
19 all persons conducting employment agencies must comply with the provisions of  
20 AS 43.70 (Alaska Business License Act).

21 \* Sec. 49. AS 37.05.146(4) is amended by adding a new subparagraph to read:

22 (R) receipts of the group insurance programs established under  
23 AS 39.30.090.

24 \* Sec. 50. AS 37.05.289(a) is amended to read:

25 (a) There is established in the general fund a state insurance catastrophe  
26 reserve account consisting of assets appropriated to it by the legislature, [AND] assets  
27 allocated to the account by the Department of Administration as provided in [(b) OF]  
28 this section, and amounts deposited into the account as provided in this section.  
29 Assets of the account may be used to obtain insurance, to establish reserves for the  
30 self-insurance program, and to satisfy claims or judgments arising under the program.  
31 Interest earned on money in the account shall be remitted to the Department of

1 Revenue in accordance with AS 37.10.050.

2 \* Sec. 51. AS 37.05.289 is amended by adding new subsections to read:

3 (c) The \$5,000,000 cap, set in (b) of this section, on money that may be  
4 retained in the state insurance catastrophe reserve account applies only to unobligated  
5 money in the account at the end of a fiscal year.

6 (d) Amounts received in settlement of insurance claims or as recovery for  
7 losses shall be deposited into the state insurance catastrophe reserve account.

8 \* Sec. 52. AS 41.21.020(a) is amended by adding a new paragraph to read:

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

11 \* Sec. 53. AS 41.21.026(a) is amended to read:

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

14 (1) rental of public use cabins or other overnight lodgings;

15 (2) [OVERNIGHT] use of a developed campsite;

16 (3) special park use permits;

17 (4) competitive and exclusive commercial use permits;

18 (5) noncompetitive and nonexclusive commercial use permits;

19 (6) use of a sewage holding tank dump station;

20 (7) admission to or guided tours of visitor centers and historic sites;

21 [AND]

22 (8) use of an improved boat ramp in a park facility developed  
23 principally for boat launching;

24 (9) sale of firewood;

25 (10) sale of merchandise related to public use, enjoyment, and  
26 understanding of parks, including maps, plans, and other graphic materials;

27 (11) use of a developed trailhead, access site, or picnic site that has  
28 developed parking and rest rooms, and use of parking associated with a developed  
29 trailhead, access site, or picnic site with developed parking; and

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

1        use, enjoyment, or understanding of parks.

2        \* Sec. 54. AS 44.46.025(a) is amended to read:

3                (a) The Department of Environmental Conservation may adopt regulations that  
4        prescribe reasonable fees, and establish procedures for the collection of the fees, to  
5        cover the applicable direct costs of inspections, permit preparation and  
6        administration, plan review and approval, and other [THE FOLLOWING] services  
7        provided by the department relating to [:]

8                        (1)        agriculture and animals [INSPECTIONS, PERMIT  
9        ADMINISTRATION, PLAN REVIEW AND APPROVAL, AND OTHER RELATED  
10        SERVICES PROVIDED] under AS 03.05; food, drugs, and cosmetics under [,]  
11        AS 17.20; [,] and public accommodations and facilities under AS 18.35;

12                        (2) [AIR QUALITY PERMITS UNDER AS 46.03.140 AND 46.03.160;

13                        (3)] hazardous waste management [PERMITS] under AS 46.03.299  
14        and 46.03.302;

15                        (3) [(4) PLAN APPROVALS AND PERMITS FOR] sewerage system  
16        and treatment works and wastewater disposal systems, and [PLAN APPROVALS  
17        FOR] drinking water systems, under AS 46.03.720;

18                        (4) [(5)] oil discharge financial responsibility [APPROVALS] under  
19        AS 46.04.040;

20                        (5) [(6)] oil discharge contingency plans [PLAN APPROVALS] under  
21        AS 46.04.030;

22                        (6) [(7)] water and wastewater operator training under AS 46.30;

23                        (7) hazardous waste management facility sites under AS 46.03.313;

24                        (8) control of solid waste facilities under AS 46.03.020(10) and  
25        46.03.100;

26                        (9) sewage and industrial waste disposal or treatment plans under  
27        AS 46.03.090;

28                        (10) controlling the application of pesticides and broadcast  
29        chemicals under AS 46.03.320;

30                        (11) maintaining health and safety at facilities subject to regulation  
31        under AS 18.35.220 or AS 44.46.020;

1                   (12) certification of laboratories conducting environmental analyses  
2                   of public drinking water systems or of oil or hazardous substances, or conducting  
3                   other analyses required by the department;

4                   (13) certificates of inspection for motor vehicles under  
5                   AS 46.03.190;

6                   (14) certification of federal permits or authorizations under  
7                   33 U.S.C. 1341, sec. 401 (Clean Water Act);

8                   (15) filing information with the Alaska State Emergency Response  
9                   Commission established under AS 46.13.010, and with any local emergency  
10                  planning committees approved by the commission, as required by 42 U.S.C. 11022  
11                  and 11023; fees under this paragraph must be established in consultation with the  
12                  Alaska State Emergency Response Commission.

13       \* Sec. 55. AS 44.46.025 is amended by adding a new subsection to read:

14                   (c) The department may adopt regulations that prescribe reasonable fees to  
15                   cover the direct and indirect costs of air quality permit programs under AS 46.03.140  
16                   and 46.03.160, and may establish procedures for the collection of those fees.

17       \* Sec. 56. AS 13.26.410(b) and AS 37.05.210(1) are repealed.

18       \* Sec. 57. TEMPORARY FEES IN STATE PARKS. (a) The following fees apply for  
19       the following activities in units of the state park system until the Department of Natural  
20       Resources adopts a regulation under AS 41.21.026, as amended by sec. 53 of this Act, that  
21       establishes a fee for that activity:

22                   (1) sale of firewood: \$4 per bundle;

23                   (2) use of a developed trailhead, access site, or picnic site that has developed  
24       parking and rest rooms, or use of parking associated with a developed trailhead, access site,  
25       or picnic site with developed parking: \$2 per vehicle, or \$25 for an annual pass;

26                   (3) admission to visitor centers or historic sites: \$1 for each person over 10  
27       years of age;

28                   (4) presentation or attendance at programs related to natural or cultural history,  
29       outdoor skills or education, or other topics concerned with public use, enjoyment, or  
30       understanding of parks: \$2 for each person over 10 years of age.

31                   (b) The commissioner of natural resources shall notify the revisor of statutes when a

1 regulation is effective that establishes a fee for an activity described in (a) of this section.

2 \* **Sec. 58. IMPLEMENTATION OF BIENNIAL LICENSURE BY ALCOHOLIC**  
3 **BEVERAGE CONTROL BOARD.** (a) Approximately one-half of the applicants for renewal,  
4 for 1994, of a license issued by the Alcoholic Beverage Control Board, as determined by the  
5 director of the Alcoholic Beverage Control Board, shall be eligible for a one-year license.  
6 These licenses expire, unless renewed, on December 31, 1994, and may be renewed biennially  
7 in even-numbered years after that. The 1994 renewal fee for these licenses is one-half of the  
8 biennial license fee.

9 (b) The remaining approximately one-half of the 1994 renewal applicants, as  
10 determined by the director, shall be eligible for a two-year license. These licenses expire,  
11 unless renewed, on December 31, 1995, and may be renewed biennially in odd-numbered  
12 years after that.

13 (c) The director shall notify each licensee in writing as to whether the licensee shall  
14 apply for renewal under (a) or (b) of this section, and of the actual amount of the renewal fee.  
15 The notice must be given not later than December 1, 1993. However, the failure of the  
16 director to provide the notice required in this subsection does not prevent a license from  
17 expiring on February 28, 1994, in accordance with AS 04.11.540, if the renewal application  
18 is not filed on or before that date.

19 \* **Sec. 59. TRANSITION.** Notwithstanding secs. 62 - 64 of this Act, an agency of the  
20 state that has regulation adoption authority or that is authorized by this Act to adopt  
21 regulations, may proceed to adopt regulations necessary to implement that agency's respective  
22 provisions in this Act. The regulations take effect under AS 44.62 (Administrative Procedure  
23 Act), but not before the respective effective date of the relevant section or sections of this Act.

24 \* **Sec. 60.** The amendments to AS 13.26.410(a) made by sec. 33 of this Act have the effect  
25 of amending Alaska Rule of Probate Procedure 16(d) by providing for compensation for  
26 guardian's services without an order of the court.

27 \* **Sec. 61.** Sections 57 - 59 of this Act take effect immediately under AS 01.10.070(c).

28 \* **Sec. 62.** Sections 33 - 35, 44 - 56, and 60 of this Act take effect July 1, 1993.

29 \* **Sec. 63.** Sections 1 - 32 of this Act take effect December 31, 1993.

30 \* **Sec. 64.** Sections 36 - 43 of this Act take effect July 1, 1994.