

CS FOR HOUSE BILL NO. 65(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/24/93

Referred: 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 Department of Fish and Game, the Alaska Police Standards Council, the
4 Department of Natural Resources, and the Department of Environmental
5 Conservation; relating to the administration of the state insurance catastrophe
6 reserve account; authorizing the Department of Natural Resources to accept certain
7 donations for parks and recreation; relating to fiscal reporting and accounting by
8 the Department of Administration; and amending Alaska Rule of Probate
9 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 [\$200 FOR THE
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 16.05.390(d) is amended to read:

15 (d) Compensation provided by this section shall be paid from appropriations
16 made to the department [FROM THE GENERAL FUND].

17 * Sec. 37. AS 18.65.220 is amended by adding a new paragraph to read:

18 (7) charge and collect reasonable fees, established by the council by
19 regulation, for processing applications for basic certification of police, probation,
20 parole, and correctional officers under regulations of the council.

21 * Sec. 38. 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. 39. 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. 40. 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. 41. 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. 42. AS 41.21.026(a) is amended to read:

12 (a) Notwithstanding (b) of this section, the [THE] department may charge
13 or collect the following fees [A FEE] in a park unit that is not operated under a
14 concession contract: [FOR]

15 (1) rental of public use cabins or other overnight lodgings and
16 overnight use of developed campsites: fees established by order of the director of
17 the division of parks and recreation of the department that are not less than
18 charges for comparable facilities by commercial operators:

19 (2) [OVERNIGHT USE OF A DEVELOPED CAMPSITE:

20 (3)] special park use permits:

21 ~~(3)~~ [(4)] competitive and exclusive commercial use permits:

22 ~~(4)~~ [(5)] noncompetitive and nonexclusive commercial use permits:

23 (A) \$50 nonrefundable permit application processing fee;

24 and

25 (B) an additional permit fee established by order of the
26 director of the division of parks and recreation of the department, not to
27 exceed \$250 for residents or \$750 for nonresidents if the application is
28 granted, except that for any sport fishing guide services within the Kenai
29 River Special Management Area a \$450 permit fee for residents or a
30 \$1,350 permit fee for nonresidents is required if the application is granted:

31 (5) [(6)] use of a sewage holding tank dump station: \$8 per vehicle:

1 (6) [(7)] guided tours of historic sites: \$10 per person; [AND]
2 (7) [(8)] use of an improved boat ramp in a park facility developed
3 principally for boat launching, except that a fee may not be charged if the ramp is
4 the only reasonable public access to a navigable waterway as that term is defined
5 in AS 38.05.965; a fee established by order of the director of the division of parks
6 and recreation of the department, not to exceed \$10 per boat per day, or \$100 per
7 boat per year for a nontransferable calendar year annual boat launching pass
8 decal.

9 * Sec. 43. AS 41.21.026(d) is amended to read:

10 (d) The department shall issue free of charge to disabled veterans of this
11 country an annual state park developed campsite permit. The permit shall allow a
12 disabled veteran to use a state park developed campsite for personal recreation use
13 without a charge or fee under (a)(1) [(a)(2)] of this section. While utilizing a
14 developed campsite without charge under this subsection, the disabled veteran shall
15 comply with all other statutes or regulations pertaining to the use of the developed
16 campsite. The department shall provide a form for use by a disabled veteran when
17 applying for a permit under this section. Not later than February 1 of each year, the
18 department shall report to the legislature the number of permits issued to disabled
19 veterans under this subsection during the previous calendar year.

20 * Sec. 44. AS 44.46.025(a) is amended to read:

21 (a) The Department of Environmental Conservation may charge the following
22 fees set out in this subsection for the described services and may adopt regulations
23 that [PRESCRIBE REASONABLE FEES, AND] establish procedures for the collection
24 of the fees [, TO COVER THE DIRECT COSTS OF THE FOLLOWING SERVICES
25 PROVIDED BY THE DEPARTMENT]:

26 (1) inspections, permit administration, plan review and approval,
27 training and other related services provided under AS 03.05 and [,] AS 17.20: the
28 fees established by regulations of the department that are in effect on the effective
29 date of this bill section [, AND AS 18.35];

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

31 (3) HAZARDOUS WASTE PERMITS UNDER AS 46.03.299 AND

1 46.03.302;

2 (4)] plan approvals and permits for sewerage system and treatment
3 works and wastewater disposal systems, and plan approvals for drinking water systems,
4 under AS 46.03.720 as follows:

5 (A) for a domestic wastewater disposal permit or for
6 certification of a United States Environmental Protection Agency national
7 pollutant discharge elimination system, based on a daily peak design
8 capacity measurement for the system,

9 (i) \$10 for 0 - 2,500 gallons per day;

10 (ii) \$25 for 2,501 - 50,000 gallons per day;

11 (iii) \$50 for 50,001 or more gallons per day;

12 (B) for renewal of a permit under (A) of this paragraph

13 (i) 40 percent less than the original fee if the renewal
14 application is received by the department before the permit expires;

15 (ii) the amount of the original fee if the renewal
16 application is received after the permit expires;

17 (C) for a domestic wastewater system plan review that does
18 not involve a bank loan certification and does not involve a project
19 constructed under AS 46.03.030 or AS 46.07, based on the daily peak
20 design capacity measurement for the system,

21 (i) \$10 for 0 - 2,500 gallons per day;

22 (ii) \$25 for 2,501 - 50,000 gallons per day;

23 (iii) \$50 for 50,001 or more gallons per day;

24 (D) for approval of a domestic wastewater system plan
25 revision that increases the daily peak capacity measurement of the system,
26 based on the percentage increase in the discharge over the previously
27 established daily peak design capacity measurement

28 (i) 20 percent of the original plan fee for an increase
29 of no more than 20 percent;

30 (ii) 50 percent of the original plan fee for an increase
31 of 20 - 50 percent;

1 (iii) the amount equal to the original plan fee for an
2 increase of over 50 percent;

3 (E) for a bank loan certification of an on-lot water or sewer
4 system, a review fee of \$10;

5 (3) [(5) OIL DISCHARGE FINANCIAL RESPONSIBILITY
6 APPROVALS UNDER AS 46.04.040;

7 (6) OIL DISCHARGE CONTINGENCY PLAN APPROVALS UNDER
8 AS 46.04.030;

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

10 (A) 1-day course - \$75;

11 (B) 2-day course - 100;

12 (C) 3-day course - 150;

13 (D) 4-day course - 175;

14 (E) 5-day course - 200.

15 * Sec. 45. AS 13.26.410(b), AS 37.05.210(1), and AS 41.21.026(c) are repealed.

16 * Sec. 46. IMPLEMENTATION OF BIENNIAL LICENSURE BY ALCOHOLIC
17 BEVERAGE CONTROL BOARD. (a) Approximately one-half of the applicants for renewal,
18 for 1994, of a license issued by the Alcoholic Beverage Control Board, as determined by the
19 director of the Alcoholic Beverage Control Board, shall be eligible for a one-year license.
20 These licenses expire, unless renewed, on December 31, 1994, and may be renewed biennially
21 in even-numbered years after that. The 1994 renewal fee for these licenses is one-half of the
22 biennial license fee.

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

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

1 is not filed on or before that date.

2 * **Sec. 47. TRANSITION.** Notwithstanding secs. 50 and 51 of this Act, an agency of the
3 state that has regulation adoption authority or that is authorized by this Act to adopt
4 regulations, may proceed to adopt regulations necessary to implement that agency's respective
5 provisions in this Act. The regulations take effect under AS 44.62 (Administrative Procedure
6 Act), but not before the respective effective date of the relevant section or sections of this Act.

7 * **Sec. 48.** The amendments to AS 13.26.410(a) made by sec. 33 of this Act have the effect
8 of amending Alaska Rule of Probate Procedure 16(d) by providing for compensation for
9 guardian's services without an order of the court.

10 * **Sec. 49.** Sections 46 and 47 of this Act take effect immediately under AS 01.10.070(c).

11 * **Sec. 50.** Sections 33 - 45 of this Act take effect July 1, 1993.

12 * **Sec. 51.** Sections 1 - 32 of this Act take effect December 31, 1993.