

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

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/13/93
Referred: 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 Fish and
4 Game, the Department of Labor, the Alaska Police Standards Council, the
5 Department of Natural Resources, and the Department of Environmental
6 Conservation; relating to the administration of the state insurance catastrophe
7 reserve account; authorizing the Department of Natural Resources to accept certain
8 donations for parks and recreation; relating to fiscal reporting and accounting by
9 the Department of Administration; and amending Alaska Rule of Probate
10 Procedure 16(d); and providing for an effective date."

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

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

1 (b) The biennial [ANNUAL] beverage dispensary license fee is \$2,500
2 [\$1,250].

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

4 (d) The biennial [ANNUAL] fee for a restaurant or eating place license is
5 \$600 [\$300].

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 \$100,000 OF BUSINESS TRANSACTED], payable at the time of making an original
 2 application or an application for renewal. In addition, the following annual fees shall
 3 be paid by a holder of a general wholesale license:

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

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

18 (b) A wholesale malt beverage and wine license authorizes the holder to sell
 19 malt beverages and wine in the original packages in quantities of not less than five
 20 gallons. The holder of a wholesale malt beverage and wine license may not sell to a
 21 person not licensed under this title except as provided in AS 04.21.040. The biennial
 22 [ANNUAL] wholesale malt beverage and wine license fee is \$400 [\$200 FOR THE
 23 FIRST \$20,000 OF BUSINESS TRANSACTED DURING A YEAR], payable at the
 24 time of making an original application or application for renewal. In addition, the
 25 following annual fees shall be paid by a holder of a wholesale malt beverage and wine
 26 license:

<u>Total Business Transacted During Calendar Year</u>	<u>Annual Fee</u>
over \$20,000 and not over \$50,000	\$ 300
over \$50,000 and not over \$100,000	\$ 1,000
over \$100,000 and not over \$150,000	\$ 1,500
over \$150,000 and not over \$200,000	\$ 2,000

1	over \$200,000 and not over \$400,000	\$ 4,000
2	over \$400,000 and not over \$600,000	\$ 6,000
3	over \$600,000 and not over \$800,000	\$ 8,000
4	over \$800,000	\$10,000.

5 * Sec. 12. AS 04.11.160(c) is amended to read:
6 (c) No later than February 28 of each year [FOLLOWING THE YEAR FOR
7 WHICH A LICENSE HAS BEEN ISSUED UNDER THIS SECTION], the licensee
8 shall file with the board an affidavit showing the total business transacted during the
9 preceding calendar year under the license and the location of the licensed premises
10 at which the business was transacted. At the time of filing the affidavit, the licensee
11 shall pay the additional annual [LICENSE] fees accrued under (a) and (b) of this
12 section during the preceding calendar year.

13 * Sec. 13. AS 04.11.170(c) is amended to read:
14 (c) The biennial [ANNUAL] distillery license fee is \$1,000 [\$500].

15 * Sec. 14. AS 04.11.180(b) is amended to read:
16 (b) The biennial [ANNUAL] fee for a common carrier dispensary license is
17 \$700 [\$350] for each vehicle, boat, aircraft, or railroad buffet car in which alcoholic
18 beverages are served.

19 * Sec. 15. AS 04.11.210(b) is amended to read:
20 (b) The biennial [ANNUAL] fee for a recreational site license is \$800 [\$400].

21 * Sec. 16. AS 04.11.220(d) is amended to read:
22 (d) The biennial [ANNUAL] fee for a pub license is \$800 [\$400].

23 * Sec. 17. AS 04.11.250(a) is amended to read:
24 (a) A conditional contractor's permit authorizes the holder to sell beer or wine
25 for consumption only on designated premises for two years [ONE YEAR] from the
26 date of issuance of the permit at construction sites that are located outside a city and
27 inside the boundaries of a military or naval reservation.

28 * Sec. 18. AS 04.11.250(b) is amended to read:
29 (b) An applicant for a conditional contractor's permit must obtain and file with
30 the board written permission from the commanding officer of the military or naval
31 reservation and the prime contractor of the remotely situated project for the conduct

1 of the activities authorized by the permit. A conditional contractor's permit may be
2 renewed biennially [ANNUALLY] upon reapplication for a permit and may be
3 revoked or suspended at the discretion of the commanding officer or the prime
4 contractor.

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

6 (d) The biennial [ANNUAL] conditional contractor's permit fee is \$1,200
7 [\$600].

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1 (2) the license has been revoked for any cause;
- 2 (3) the applicant has not operated the licensed premises for at least 30
3 eight-hour days during each of the two preceding calendar years [THE
4 IMMEDIATELY PRECEDING CALENDAR YEAR], unless the board determines that
5 the licensed premises are under construction or cannot be operated through no fault of
6 the applicant;
- 7 (4) the board finds that issuance of an existing license under
8 AS 04.11.400(g) has not encouraged tourist trade;
- 9 (5) the requirements of AS 04.11.420 - 04.11.450 relating to zoning,
10 ownership of the license, and financing of the licensee have not been met;
- 11 (6) renewal of the license would violate the restrictions pertaining to
12 the particular license under this title;
- 13 (7) renewal of the license is prohibited under this title as a result of an
14 election conducted in accordance with AS 04.11.502;
- 15 (8) the application has not been completed in accordance with
16 AS 04.11.270;
- 17 (9) the license was issued under AS 04.11.400(j), and the board finds
18 that the public convenience does not require renewal.

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

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

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

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

1 the 90 days after the results of a local option election under this section are certified
2 may be extended, until it is void under this subsection, by payment of a prorated
3 portion of the biennial [ANNUAL] license fee.

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

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

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

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

1 a local option election under this section are certified may be extended, until it is void
2 under this subsection, by payment of a prorated portion of the biennial [ANNUAL]
3 license fee.

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

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

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

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

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

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

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

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

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

1 conducted in accordance with AS 04.11.502 after an election in which the voters voted
2 "yes" on the question set out in (a) of this section, the board shall be notified
3 immediately after certification of the results of the election. Licenses in effect in the
4 municipality, in the unincorporated area outside of but within five miles of the
5 boundaries of the municipality or established village that were excepted from the
6 prohibition on sale in accordance with the results of the earlier election are void 90
7 days after the results of the election are certified. Thereafter the board may not issue,
8 renew, or transfer between holders or locations a license for licensed premises located
9 within the boundaries of the municipality or within the perimeter of an established
10 village, or in an unincorporated area within five miles of the boundaries of the
11 municipality, except a license that may be issued to a municipality or to one of the
12 types of licenses listed on the ballot as a result of a majority of the voters voting "yes"
13 on the question set out in AS 04.11.492 or this section, respectively. A license that
14 will expire during the 90 days after the results of a local option election under this
15 section are certified may be extended, until it is void under this subsection, by payment
16 of a prorated portion of the biennial [ANNUAL] license fee.

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

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

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

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

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

29 (a) The commissioner of administration may establish by regulation a schedule
30 of reasonable fees for the costs of the public guardian's services. The fee schedule
31 established may be based upon the ability of the ward or protected person to pay for

1 guardian services but may not exceed the actual cost of providing public guardian
2 services. The office of public advocacy shall charge and collect the fees established
3 under this subsection, but may waive collection of a fee upon a finding that collection
4 is not economically feasible or in the public interest.

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

6 (c) The public guardian may [SHALL] investigate the financial status of
7 (1) a person who requests the appointment of the public guardian as the
8 person's guardian or conservator; and
9 (2) a ward for whom a court has appointed the public guardian.

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

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

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

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

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

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

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

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

1 shall be deposited into a guarantee fee account within the student loan fund of the
2 Alaska Student Loan Corporation, and subsequently transferred by the commission to
3 loan accounts within the student loan fund to offset losses incurred due to student loan
4 debt cancellation as a result of death, disability, or bankruptcy of the student.

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

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

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

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

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

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

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

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

1 home and school.

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

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

6 * Sec. 44. AS 16.05.390(d) is amended to read:

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

9 * Sec. 45. AS 18.60.220 is amended to read:

10 Sec. 18.60.220. DUTIES OF THE DEPARTMENT OF LABOR. The
11 Department of Labor shall

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

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

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

17 (4) keep a complete record of the type, dimensions, maximum
18 allowable working pressure, age, condition, location, and date of the last recorded
19 internal inspection of boilers and unfired pressure vessels to which AS 18.60.180 -
20 18.60.390 apply;

21 (5) adopt regulations establishing reasonable fees for administering
22 special inspector examinations and for processing applications for special
23 inspector commissions; and

24 (6) do acts necessary to carry out the purposes of AS 18.60.180 -
25 18.60.390.

26 * Sec. 46. AS 18.62.020 is amended to read:

27 Sec. 18.62.020. APPLICATION FOR AND ISSUANCE OF CERTIFICATE.
28 The department shall issue certificates of fitness, including renewal [VALID FOR
29 ONE YEAR AND] certificates, for a time period determined by the department by
30 regulation [OF FITNESS VALID FOR THREE YEARS]. The certificate shall be
31 issued only to an individual. An applicant for a certificate shall apply in writing,

1 under oath, on a form prescribed by the department containing
2 (1) the name and address of the applicant;
3 (2) the applicant's age;
4 (3) the applicant's citizenship; and
5 (4) [WHETHER THE APPLICANT IS APPLYING FOR A
6 ONE-YEAR OR A THREE-YEAR CERTIFICATE; AND
7 (5)] other information relevant to licensing that the department requires.

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

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

12 * Sec. 48. AS 23.15.390 is amended to read:

13 Sec. 23.15.390. FEES. The fee for filing an application for a permit is \$100
14 [\$10]. All fees shall be deposited in the general fund. In addition to paying this fee,
15 all persons conducting employment agencies must comply with the provisions of
16 AS 43.70 (Alaska Business License Act).

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

18 (R) receipts of the group insurance programs established under
19 AS 39.30.090.

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

21 (a) There is established in the general fund a state insurance catastrophe
22 reserve account consisting of assets appropriated to it by the legislature, [AND] assets
23 allocated to the account by the Department of Administration as provided in [(b) OF]
24 this section, and amounts deposited into the account as provided in this section.
25 Assets of the account may be used to obtain insurance, to establish reserves for the
26 self-insurance program, and to satisfy claims or judgments arising under the program.
27 Interest earned on money in the account shall be remitted to the Department of
28 Revenue in accordance with AS 37.10.050.

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

30 (c) The \$5,000,000 cap, set in (b) of this section, on money that may be
31 retained in the state insurance catastrophe reserve account applies only to unobligated

1 money in the account at the end of a fiscal year.

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

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

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

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

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

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

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

12 (3) special park use permits;

13 (4) competitive and exclusive commercial use permits;

14 (5) noncompetitive and nonexclusive commercial use permits;

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

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

17 [AND]

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

20 (9) sale of firewood;

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

23 (11) use of a developed trailhead, access site, or picnic site that has
24 developed parking and rest rooms, and use of parking associated with a developed
25 trailhead, access site, or picnic site with developed parking; and

26 (12) presentation or attendance at programs related to natural or
27 cultural history, outdoor skills or education, or other topics concerned with public
28 use, enjoyment, or understanding of parks.

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

30 (a) The Department of Environmental Conservation may adopt regulations that
31 prescribe reasonable fees, and establish procedures for the collection of the fees, to

1 cover the applicable direct costs of inspections, permit preparation and
2 administration, plan review and approval, and other [THE FOLLOWING] services
3 provided by the department relating to [:]

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

8 (2) [AIR QUALITY PERMITS UNDER AS 46.03.140 AND 46.03.160;
9 (3)] hazardous waste management [PERMITS] under AS 46.03.299
10 and 46.03.302;

11 (3) [(4) PLAN APPROVALS AND PERMITS FOR] sewerage system
12 and treatment works and wastewater disposal systems, and [PLAN APPROVALS
13 FOR] drinking water systems, under AS 46.03.720;

14 (4) [(5)] oil discharge financial responsibility [APPROVALS] under
15 AS 46.04.040;

16 (5) [(6)] oil discharge contingency plans [PLAN APPROVALS] under
17 AS 46.04.030;

18 (6) [(7)] water and wastewater operator training under AS 46.30;

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

20 (8) control of solid waste facilities under AS 46.03.020(10) and
21 46.03.100;

22 (9) sewage and industrial waste disposal or treatment plans under
23 AS 46.03.090;

24 (10) controlling the application of pesticides and broadcast
25 chemicals under AS 46.03.320;

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

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

31 (13) certificates of inspection for motor vehicles under

1 **AS 46.03.190:**

2 **(14) certification of federal permits or authorizations under**
3 **33 U.S.C. 1341, sec. 401 (Clean Water Act):**

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

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

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

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

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

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

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

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

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

27 (b) The commissioner of natural resources shall notify the revisor of statutes when a
28 regulation is effective that establishes a fee for an activity described in (a) of this section.

29 * Sec. 58. IMPLEMENTATION OF BIENNIAL LICENSURE BY ALCOHOLIC
30 BEVERAGE CONTROL BOARD. (a) Approximately one-half of the applicants for renewal,
31 for 1994, of a license issued by the Alcoholic Beverage Control Board, as determined by the

1 director of the Alcoholic Beverage Control Board, shall be eligible for a one-year license.
2 These licenses expire, unless renewed, on December 31, 1994, and may be renewed biennially
3 in even-numbered years after that. The 1994 renewal fee for these licenses is one-half of the
4 biennial license fee.

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

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

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

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

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

24 * Sec. 62. Sections 33 - 35, 44 - 56, and 60 of this Act take effect July 1, 1993; however,
25 sec. 55 of this Act takes effect only if the first session of the Eighteenth Alaska Legislature
26 does not enact a version of HB 167 or SB 103 that contains a comparable provision that
27 becomes law.

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

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