

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

**BY THE HOUSE FINANCE COMMITTEE**

**Offered: 4/27/93**

**Referred: Rules**

**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; relating to the provision of group life or group health insurance  
8 for state employees; authorizing the Department of Natural Resources to accept  
9 certain donations for parks and recreation; relating to fiscal reporting and  
10 accounting by the Department of Administration; extending the suspension of  
11 certain tax credit provisions; and amending Alaska Rule of Probate  
12 Procedure 16(d); and providing for an effective date."

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

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

3 (b) The **biennial** [ANNUAL] beverage dispensary license fee is **\$2,500**  
4 **[\$1,250]**.

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

6 (d) The **biennial** [ANNUAL] fee for a restaurant or eating place license is  
7 **\$600** [~~\$300~~].

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (a) A general wholesale license authorizes the holder to sell alcoholic  
27 beverages in the original package, and wine in bulk, in quantities of not less than five  
28 gallons. A holder of a general wholesale license may not sell to a person not licensed  
29 under this title, except as provided in AS 04.21.040. A holder of a general wholesale  
30 license may not sell alcoholic beverages unless any stamps required to be affixed to  
31 the package by state or federal law are intact on the package. A wholesaler must

1 obtain a general wholesale license for each distributing point. The biennial  
 2 [ANNUAL] general wholesale license fee is \$2,000 [\$1,000 FOR THE FIRST  
 3 \$100,000 OF BUSINESS TRANSACTED], payable at the time of making an original  
 4 application or an application for renewal. In addition, the following annual fees shall  
 5 be paid by a holder of a general wholesale license:

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

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

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

<u>Total Business Transacted During Calendar Year</u>	<u>Annual Fee</u>
29 over \$20,000 and not over \$50,000 .....	\$ 300
30 over \$50,000 and not over \$100,000 .....	\$ 1,000

1	over \$100,000 and not over \$150,000	\$ 1,500
2	over \$150,000 and not over \$200,000	\$ 2,000
3	over \$200,000 and not over \$400,000	\$ 4,000
4	over \$400,000 and not over \$600,000	\$ 6,000
5	over \$600,000 and not over \$800,000	\$ 8,000
6	over \$800,000	\$10,000.

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

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

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

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

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

18 (b) The biennial [ANNUAL] fee for a common carrier dispensary license is  
19 \$700 [\$350] for each vehicle, boat, aircraft, or railroad buffet car in which alcoholic  
20 beverages are served.

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

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

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

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

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

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

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

31 (b) An applicant for a conditional contractor's permit must obtain and file with

1 the board written permission from the commanding officer of the military or naval  
2 reservation and the prime contractor of the remotely situated project for the conduct  
3 of the activities authorized by the permit. A conditional contractor's permit may be  
4 renewed biennially [ANNUALLY] upon reapplication for a permit and may be  
5 revoked or suspended at the discretion of the commanding officer or the prime  
6 contractor.

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

8 (d) The biennial [ANNUAL] conditional contractor's permit fee is \$1,200  
9 [\$600].

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

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

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

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

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

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

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

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

26 (3) a renewal application filed after December 31 is delinquent and  
27 must be accompanied by a \$100 penalty fee;

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

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

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

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

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

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

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

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

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

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

17 (8) the application has not been completed in accordance with  
18 AS 04.11.270;

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

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

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

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

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

1 may not be renewed because of a local option election held under this section are void  
2 90 days after the results of the election are certified. A license that will expire during  
3 the 90 days after the results of a local option election under this section are certified  
4 may be extended, until it is void under this subsection, by payment of a prorated  
5 portion of the biennial [ANNUAL] license fee.

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

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

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

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

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

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

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

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

27 (e) If a majority of the voters of a municipality vote "yes" on the question set  
28 out in (a) of this section and the sale of alcoholic beverages, or the sale and  
29 importation of alcoholic beverages, has not been previously prohibited in the  
30 municipality in accordance with AS 04.11.490 or 04.11.496, an ordinance is adopted  
31 that becomes effective beginning 90 days after certification of the results of the

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

16 \* Sec. 29. AS 04.11.500(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, the board shall be notified immediately after certification of the results of the  
19 election and thereafter may not issue, renew, or transfer between holders or locations  
20 a license for licensed premises located within the boundaries of the municipality and  
21 in unincorporated areas within five miles of the boundaries of the municipality or  
22 within the perimeter of the established village, except those types of licenses listed on  
23 the ballot. Licenses in effect within the boundaries of the municipality or perimeter  
24 of the established village, and in an unincorporated area outside of but within five  
25 miles of the boundaries of the municipality, except those types of licenses listed on the  
26 ballot, are void 90 days after the results of the election are certified. A license that  
27 will expire during the 90 days after the results of a local option election under this  
28 section are certified may be extended, until it is void under this subsection, by payment  
29 of a prorated portion of the biennial [ANNUAL] license fee.

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

31 (c) If the majority of the voters vote "no" on the question set out in (a) of this

1 section or vote "yes" on the questions set out in AS 04.11.490, 04.11.492, 04.11.496,  
2 or this section if different types of licenses are listed on the ballot in an election  
3 conducted in accordance with AS 04.11.502 after an election in which the voters voted  
4 "yes" on the question set out in (a) of this section, the board shall be notified  
5 immediately after certification of the results of the election. Licenses in effect in the  
6 municipality, in the unincorporated area outside of but within five miles of the  
7 boundaries of the municipality or established village that were excepted from the  
8 prohibition on sale in accordance with the results of the earlier election are void 90  
9 days after the results of the election are certified. Thereafter the board may not issue,  
10 renew, or transfer between holders or locations a license for licensed premises located  
11 within the boundaries of the municipality or within the perimeter of an established  
12 village, or in an unincorporated area within five miles of the boundaries of the  
13 municipality, except a license that may be issued to a municipality or to one of the  
14 types of licenses listed on the ballot as a result of a majority of the voters voting "yes"  
15 on the question set out in AS 04.11.492 or this section, respectively. A license that  
16 will expire during the 90 days after the results of a local option election under this  
17 section are certified may be extended, until it is void under this subsection, by payment  
18 of a prorated portion of the biennial [ANNUAL] license fee.

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

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

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

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

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

31 (a) The commissioner of administration may establish by regulation a schedule

1 of reasonable fees for the costs of the public guardian's services. The fee schedule  
2 established may be based upon the ability of the ward or protected person to pay for  
3 guardian services but may not exceed the actual cost of providing public guardian  
4 services. The office of public advocacy shall charge and collect the fees established  
5 under this subsection, but may waive collection of a fee upon a finding that collection  
6 is not economically feasible or in the public interest.

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

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

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

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

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

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

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

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

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

- 29 (u) A loan guarantee fee of one percent of the total scholarship loan amount  
30 shall be assessed upon a scholarship loan that is funded from the student loan fund of  
31 the Alaska Student Loan Corporation. The loan guarantee fee shall be added as a

1 finance charge to the total loan amount awarded, notwithstanding the loan limits set  
2 out at AS 14.43.110 and 14.43.115. Subject to appropriation, the loan guarantee fees  
3 shall be deposited into a guarantee fee account within the student loan fund of the  
4 Alaska Student Loan Corporation, and subsequently transferred by the commission to  
5 loan accounts within the student loan fund to offset losses incurred due to student loan  
6 debt cancellation as a result of death, disability, or bankruptcy of the student.

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

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

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

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

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

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

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

31 (d) Proceeds from a teacher scholarship loan may be used only for

1           undergraduate expenses of books, tuition, required fees, loan guarantee fees, room and  
2           board, and the transportation expense for two round trips between the loan recipient's  
3           home and school.

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

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

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

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

11   \* Sec. 45. AS 18.60.220 is amended to read:

12          Sec. 18.60.220. DUTIES OF THE DEPARTMENT OF LABOR. The  
13          Department of Labor shall

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

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

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

19               (4) keep a complete record of the type, dimensions, maximum  
20          allowable working pressure, age, condition, location, and date of the last recorded  
21          internal inspection of boilers and unfired pressure vessels to which AS 18.60.180 -  
22          18.60.390 apply;

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

26               (6) do acts necessary to carry out the purposes of AS 18.60.180 -  
27          18.60.390.

28   \* Sec. 46. AS 18.62.020 is amended to read:

29          Sec. 18.62.020. APPLICATION FOR AND ISSUANCE OF CERTIFICATE.

30          The department shall issue certificates of fitness and renewal [VALID FOR ONE  
31          YEAR AND] certificates of fitness valid for two [THREE] years. The certificate may

1 [SHALL] be issued only to an individual. An applicant for a certificate shall apply  
2 in writing, under oath, on a form prescribed by the department containing  
3 (1) the name and address of the applicant;  
4 (2) the applicant's age;  
5 (3) the applicant's citizenship; and  
6 (4) [WHETHER THE APPLICANT IS APPLYING FOR A  
7 ONE-YEAR OR A THREE-YEAR CERTIFICATE; AND  
8 (5)] other information relevant to licensing that the department requires.

9 \* Sec. 47. AS 18.62.030 is repealed and reenacted to read:

10 Sec. 18.62.030. FEES. An applicant

- 11 (1) shall pay a nonrefundable application and examination fee of \$50  
12 when applying for a journeyman level certificate of fitness;  
13 (2) for a trainee or journeyman level certificate of fitness shall pay a  
14 biennial fee of \$160, to be prorated if the certificate is issued for a shorter period, for  
15 the issuance of a certificate or a renewal certificate;  
16 (3) shall pay a fee of \$25 for the issuance of a duplicate certificate of  
17 fitness.

18 \* Sec. 48. AS 18.65.220 is amended by adding a new paragraph to read:

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

22 \* Sec. 49. AS 23.15.390 is amended to read:

23 Sec. 23.15.390. FEES. The fee for filing an application for a permit is \$100  
24 [\$10]. All fees shall be deposited in the general fund. In addition to paying this fee,  
25 all persons conducting employment agencies must comply with the provisions of  
26 AS 43.70 (Alaska Business License Act).

27 \* Sec. 50. AS 37.05.146(4) is amended by adding a new subparagraph to read:

- 28 (R) receipts of the group insurance programs established under  
29 AS 39.30.090.

30 \* Sec. 51. AS 37.05.289(a) is amended to read:

- 31 (a) There is established in the general fund a state insurance catastrophe

1 reserve account consisting of assets appropriated to it by the legislature, [AND] assets  
2 allocated to the account by the Department of Administration as provided in [(b) OF]  
3 this section, and amounts deposited into the account as provided in this section.  
4 Assets of the account may be used to obtain insurance, to establish reserves for the  
5 self-insurance program, and to satisfy claims or judgments arising under the program.  
6 Interest earned on money in the account shall be remitted to the Department of  
7 Revenue in accordance with AS 37.10.050.

8 \* Sec. 52. AS 37.05.289 is amended by adding new subsections to read:

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

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

14 \* Sec. 53. AS 39.30.090(a)(4) is amended to read:

15 (4) In procuring a policy of group health or group life insurance  
16 as provided under this section or excess loss insurance as provided in  
17 AS 39.30.091, the [THE] Department of Administration shall comply with the dual  
18 choice requirements of AS 21.86.310, and shall obtain the insurance policy from an  
19 [ANY] insurer authorized to transact business in the state under AS 21.09, a hospital  
20 or medical service corporation authorized to transact business in this state under  
21 AS 21.87 [AND AS 21.90], or [FROM] a health maintenance organization authorized  
22 to operate in this state under AS 21.86. An excess loss insurance policy may be  
23 obtained from a life or disability insurer authorized to transact business in this  
24 state under AS 21.09 or from a hospital or medical service corporation authorized  
25 to transact business in this state under AS 21.87.

26 \* Sec. 54. AS 39.30.090(a)(5) is amended to read:

27 (5) The Department of Administration shall make available bid  
28 specifications for desired insurance benefits or for administration of benefit claims  
29 and payments to (A) all insurance carriers authorized to transact business  
30 [LICENSED] in this [THE] state under AS 21.09 and all hospital or medical service  
31 corporations authorized to transact business under AS 21.87 who are [AND]

1           qualified to provide the desired benefits; and (B) to insurance carriers authorized  
2           to transact business in this state under AS 21.09, hospital or medical service  
3           corporations authorized to transact business under AS 21.87, and third-party  
4           administrators licensed to transact business in this state and qualified to provide  
5           administrative services. The specifications shall be made available [ON OR  
6           BEFORE JULY 1, 1965, AND] at least once every [SUCCEEDING] five years. The  
7           lowest responsible bid submitted by an insurance carrier, hospital or medical service  
8           corporation, or third-party administrator with adequate servicing facilities shall  
9           govern selection of a carrier, hospital or medical service corporation, or third-party  
10           administrator under this section or the selection of an insurance carrier or a  
11           hospital or medical service corporation to provide excess loss insurance as  
12           provided in AS 39.30.091.

13       \* Sec. 55. AS 39.30 is amended by adding a new section to read:

14                   Sec. 39.30.091. AUTHORIZATION FOR SELF-INSURANCE AND EXCESS  
15           LOSS INSURANCE. Notwithstanding AS 21.86.310 or AS 39.30.090, the Department  
16           of Administration may provide, by means of self-insurance, one or more of the benefits  
17           listed in AS 39.30.090(a)(1) for state employees eligible for the benefits by law or  
18           under a collective bargaining agreement. The department shall procure any necessary  
19           excess loss insurance under AS 39.30.090.

20       \* Sec. 56. AS 39.30.095(a) is amended to read:

21                   (a) The commissioner of administration shall establish the group health and  
22           life benefits fund as a special account in the general fund to provide for group life and  
23           health insurance under AS 39.30.090 and 39.30.160 or for self-insurance  
24           arrangements under AS 39.30.091. The commissioner shall maintain accounts and  
25           records for the fund. The fund consists of employer contributions, employee  
26           contributions, appropriations from the legislature, and income earned on investment of  
27           the fund as provided in (d) of this section.

28       \* Sec. 57. AS 39.30.095(b) is amended to read:

29                   (b) After obtaining the advice of an actuary, the commissioner of  
30           administration shall determine the amount necessary to provide benefits under  
31           AS 39.30.090, 39.30.091, and 39.30.160 and shall set the rate of employer contribution

1 and employee contribution, if any. With money in the fund, the [THE] commissioner  
2 of administration shall pay premiums, [AND] claims, and administrative costs  
3 required under [IN ACCORDANCE WITH] the insurance policies in effect under  
4 AS 39.30.090 and 39.30.160, or required under self-insurance arrangements in  
5 effect under AS 39.30.091 [WITH MONEY IN THE FUND].

6 \* Sec. 58. AS 39.30.095(c) is amended to read:

7 (c) The commissioner of administration or the designee of the commissioner  
8 is administrator of the fund. The commissioner may contract with

9 (1) an insurer authorized to transact business in this state under  
10 AS 21.09, or a hospital or medical service corporation authorized to transact  
11 business in this state under AS 21.87 [INSURANCE CARRIER] to reimburse the  
12 state for the cost of administering group insurance provided under AS 39.30.090 and  
13 39.30.160; and

14 (2) a life or disability insurer authorized to transact business in the  
15 state under AS 21.09, a hospital or medical service corporation authorized to  
16 transact business in this state under AS 21.87, or a third-party administrator  
17 licensed to transact business in this state for the administration of benefit claims  
18 and payments under AS 39.30.091.

19 \* Sec. 59. AS 39.30.095(d) is amended to read:

20 (d) If the commissioner of administration determines that there is more money  
21 in the fund than the amount needed to pay premiums, [OR] benefits, and  
22 administrative costs for the current fiscal year, the surplus, or so much of it as the  
23 commissioner of administration considers advisable, may be invested by the  
24 commissioner of revenue in the same manner as retirement funds are invested under  
25 AS 14.25.180.

26 \* Sec. 60. AS 41.21.020 is amended by adding a new subsection to read:

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

30 \* Sec. 61. AS 41.21.026(a) is amended to read:

31 (a) Notwithstanding (b) of this section, the [THE] department may charge

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

21 \* Sec. 62. AS 44.46.025(a) is amended to read:

22 (a) The Department of Environmental Conservation may adopt regulations that

23 prescribe reasonable fees, and establish procedures for the collection of the fees, to

24 cover the applicable direct costs, not including travel, of inspections, permit

25 preparation and administration, plan review and approval, and other [THE

26 FOLLOWING] services provided by the department relating to [:]

27 (1) agriculture and animals [INSPECTIONS, PERMIT

28 ADMINISTRATION, PLAN REVIEW AND APPROVAL, AND OTHER RELATED

29 SERVICES PROVIDED] under AS 03.05; food, drugs, and cosmetics under [,]

30 AS 17.20; [,] and public accommodations and facilities under AS 18.35;

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

1 (3) HAZARDOUS WASTE PERMITS UNDER AS 46.03.299 AND  
2 46.03.302;

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

6 (3) [(5)] oil discharge financial responsibility [APPROVALS] under  
7 AS 46.04.040;

8 (4) [(6)] oil discharge contingency plans [PLAN APPROVALS] under  
9 AS 46.04.030;

10 (5) [(7)] water and wastewater operator training under AS 46.30;

11 (6) control of solid waste facilities under AS 46.03.020(10) and  
12 46.03.100:

13 (7) certification of laboratories conducting environmental analyses  
14 of public drinking water systems or of oil or hazardous substances, or conducting  
15 other analyses required by the department;

16 (8) certification of federal permits or authorizations under  
17 33 U.S.C. 1341, sec. 401 (Clean Water Act).

18 \* Sec. 63. AS 44.46.025 is amended by adding a new subsection to read:

19 (c) The department may adopt regulations that prescribe reasonable fees to  
20 cover the direct costs of air quality permit programs under AS 46.03.140 and  
21 46.03.160, and may establish procedures for the collection of those fees.

22 \* Sec. 64. Section 1, ch. 27, SLA 1987 is amended to read:

23 Section 1. The operation of AS 43.05.085 and AS 43.20.013 is suspended until  
24 January 1, 1995 [1993].

25 \* Sec. 65. AS 13.26.410(b) and AS 37.05.210(1) are repealed.

26 \* Sec. 66. AS 44.46.025(c), enacted by sec. 63 of this Act, is repealed on the day after the  
27 day the federal administrator approves the state program under 42 U.S.C. 7661a(d) (Clean Air  
28 Act, sec. 502(d)). The commissioner of environmental conservation shall immediately notify  
29 the lieutenant governor and the revisor of statutes of the day the federal administrator grants  
30 the approval described under this section.

31 \* Sec. 67. TEMPORARY FEES IN STATE PARKS. The following fees apply for the

1 following activities in units of the state park system until the earlier of July 1, 1995, or the  
2 date that the Department of Natural Resources adopts a regulation under AS 41.21.026, as  
3 amended by sec. 61 of this Act, that establishes a fee for that activity:

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

5 (2) use of a developed facility that has developed parking and rest rooms: \$2  
6 per vehicle, or \$25 for an annual pass;

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

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

12 \* **Sec. 68. IMPLEMENTATION OF BIENNIAL LICENSURE BY ALCOHOLIC**  
13 **BEVERAGE CONTROL BOARD.** (a) Approximately one-half of the applicants for renewal,  
14 for 1994, of a license issued by the Alcoholic Beverage Control Board, as determined by the  
15 director of the Alcoholic Beverage Control Board, shall be eligible for a one-year license.  
16 These licenses expire, unless renewed, on December 31, 1994, and may be renewed biennially  
17 in even-numbered years after that. The 1994 renewal fee for these licenses is one-half of the  
18 biennial license fee.

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

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

29 \* **Sec. 69. IMPLEMENTATION OF BIENNIAL LICENSING BY THE DEPARTMENT**  
30 **OF LABOR.** Notwithstanding AS 18.62.020, as amended by sec. 46 of this Act, and to ensure  
31 that approximately one-half of all certificates of fitness expire in any one fiscal year,

1 approximately one-half of the applicants for renewal certificates of fitness during the first three  
2 fiscal years after the effective date of sec. 46 of this Act, as determined by the Department  
3 of Labor, shall receive a one-year renewal certificate, which may be renewed biennially after  
4 that. The renewal fee for a one-year certificate is \$80.

5 \* Sec. 70. TRANSITION. Notwithstanding secs. 74 - 76 of this Act, an agency of the  
6 state that has regulation adoption authority or that is authorized by this Act to adopt  
7 regulations, may proceed to adopt regulations necessary to implement that agency's respective  
8 provisions in this Act. The regulations take effect under AS 44.62 (Administrative Procedure  
9 Act), but not before the respective effective date of the relevant section or sections of this Act.

10 \* Sec. 71. RETROACTIVITY OF SEC. 64. Section 64 of this Act is retroactive to  
11 January 1, 1993.

12 \* Sec. 72. The amendments to AS 13.26.410(a) made by sec. 33 of this Act have the effect  
13 of amending Alaska Rule of Probate Procedure 16(d) by providing for compensation for  
14 guardian's services without an order of the court.

15 \* Sec. 73. Sections 67 - 71 of this Act take effect immediately under AS 01.10.070(c).

16 \* Sec. 74. Sections 33 - 35, 44 - 66, and 72 of this Act take effect July 1, 1993.

17 \* Sec. 75. Sections 1 - 32 of this Act take effect December 31, 1993.

18 \* Sec. 76. Sections 36 - 43 of this Act take effect July 1, 1994.