

CS FOR SENATE BILL NO. 99(JUD)**IN THE LEGISLATURE OF THE STATE OF ALASKA****EIGHTEENTH LEGISLATURE - FIRST SESSION****BY THE SENATE JUDICIARY COMMITTEE****Offered: 4/18/93
Referred: FINANCE****Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR****A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to the powers, duties, financial administration, and operations
2 of certain state agencies, including the duration and renewal of licenses issued by
3 the Alcoholic Beverage Control Board, duties of and fees charged by the office
4 of public advocacy, student loan fees, compensation of hunting and fishing license
5 vendors, Department of Labor fees and licensing periods, police standards fees,
6 motor vehicle registration and insurance and the definition of 'vehicle', program
7 receipts accounting, risk management administration, receipt of donations and
8 charging of fees by the Department of Natural Resources, coverage of persons
9 under Medicaid, and revising the order of priority for coverage of optional
10 medical services under Medicaid; amending Alaska Rule of Probate Procedure
11 16(d); and providing for an effective date."

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

- 1 * Section 1. AS 04.11.090(b) is amended to read:
2 (b) The biennial [ANNUAL] beverage dispensary license fee is \$2,500
3 [\$1,250].
- 4 * Sec. 2. AS 04.11.100(d) is amended to read:
5 (d) The biennial [ANNUAL] fee for a restaurant or eating place license is
6 \$600 [\$300].
- 7 * Sec. 3. AS 04.11.100(e) is amended to read:
8 (e) A license may be renewed under this section only if the licensee provides
9 evidence to the board's satisfaction that gross receipts from the sale of food upon the
10 licensed premises constitute no less than 50 percent of the gross receipts of the
11 licensed premises for each of the two preceding calendar years [LICENSE YEAR].
- 12 * Sec. 4. AS 04.11.110(c) is amended to read:
13 (c) The biennial [ANNUAL] club license fee is \$1,200 [\$600].
- 14 * Sec. 5. AS 04.11.120(c) is amended to read:
15 (c) The biennial [ANNUAL] bottling works license fee is \$500 [\$250].
- 16 * Sec. 6. AS 04.11.130(d) is amended to read:
17 (d) The biennial [ANNUAL] brewery license fee is \$1,000 [\$500].
- 18 * Sec. 7. AS 04.11.135(c) is amended to read:
19 (c) The biennial [ANNUAL] brewpub license fee is \$500 [\$250].
- 20 * Sec. 8. AS 04.11.140(d) is amended to read:
21 (d) The biennial [ANNUAL] winery license fee is \$500 [\$250].
- 22 * Sec. 9. AS 04.11.150(b) is amended to read:
23 (b) The biennial [ANNUAL] package store license fee is \$1,500 [\$750].
- 24 * Sec. 10. AS 04.11.160(a) is amended to read:
25 (a) A general wholesale license authorizes the holder to sell alcoholic
26 beverages in the original package, and wine in bulk, in quantities of not less than five
27 gallons. A holder of a general wholesale license may not sell to a person not licensed
28 under this title, except as provided in AS 04.21.040. A holder of a general wholesale
29 license may not sell alcoholic beverages unless any stamps required to be affixed to
30 the package by state or federal law are intact on the package. A wholesaler must
31 obtain a general wholesale license for each distributing point. The biennial

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (b) An applicant for a conditional contractor's permit must obtain and file with
31 the board written permission from the commanding officer of the military or naval

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 (1) the board finds, after review of all relevant information, that

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

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

21 (d) Notwithstanding (a) (3) of this section, a recreational site license issued

22 under AS 04.11.210 may be renewed if the license was exercised at least once during

23 each of the two [THE IMMEDIATELY] preceding calendar years [YEAR].

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

25 (b) If a majority of the voters vote "yes" on the question set out in (a) of this

26 section, the board shall be notified immediately after certification of the results of the

27 election and thereafter the board may not issue, renew, or transfer between holders or

28 locations a license for licensed premises located within the boundaries of ~~the~~ [A]

29 municipality and in unincorporated areas within five miles of the boundaries of the

30 municipality or within the perimeter of ~~the~~ [AN] established village. Licenses that

31 may not be renewed because of a local option election held under this section are void

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (c) If the majority of the voters vote "no" on the question set out in (a) of this
31 section or vote "yes" on the questions set out in AS 04.11.490, 04.11.492, 04.11.496,

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

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

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

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

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

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

30 (a) The commissioner of administration may establish by regulation a schedule
31 of reasonable fees for the costs of the public guardian's services. The fee schedule

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

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

7 (c) The public guardian may [SHALL] investigate the financial status of (1)
8 a person who requests the appointment of the public guardian as the person's guardian
9 or conservator; and (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 and renewal [VALID FOR ONE
29 YEAR AND] certificates of fitness valid for two [THREE] years. The certificate may
30 [SHALL] be issued only to an individual. An applicant for a certificate shall apply
31 in writing, under oath, on a form prescribed by the department containing

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

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

8 Sec. 18.62.030. FEES. An applicant shall pay a nonfundable application and
9 examination fee of \$50 when applying for a certificate of fitness. The department
10 shall charge a biennial fee of \$160 for the issuance of a trainee or journeyman level
11 certificate or a renewal certificate, to be prorated if issued for less than two years, and
12 a fee of \$25 for the issuance of a duplicate certificate.

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

14 (7) charge and collect a fee of \$50 for processing applications for
15 certification of police, probation, parole, and correctional officers.

16 * Sec. 49. AS 23.15.390 is amended to read:

17 Sec. 23.15.390. TERM OF PERMIT; FEES. The fee for filing an application
18 for a permit is \$10. A permit is valid for a term of two years. The biennial fee
19 for the issuance of a permit, including a renewal permit, is \$100. All fees shall be
20 deposited in the general fund. In addition to paying this fee, all persons conducting
21 employment agencies shall [MUST] comply with the provisions of AS 43.70 (Alaska
22 Business License Act).

23 * Sec. 50. AS 28.10.071(a) is amended to read:

24 (a) The department shall review each application for registration received and,
25 when satisfied that it is correct, register the vehicle and keep a record of the
26 registration in suitable books, index cards, or electronic or photographic recording and
27 storage media, or in any combination of them. The [RECORD IS REFERRED TO
28 AS THE "VEHICLE REGISTER" AND THE] vehicles are referred to as "registered
29 vehicles." The department may compile a record of the number and types of vehicles
30 registered in this state and may make statistical data available to the public for a fee
31 as prescribed in regulations adopted by the commissioner. The department may also

1 provide vehicle registration lists to the public for a fee, but only as an electronic
2 service or product under AS 09.25.115. The commissioner may prescribe, by
3 regulation, fees relating to the provision of vehicle registration lists.

4 • Sec. 51. AS 28.10.071(c) is amended to read:

5 (c) The department shall keep a record of the registrations of vehicles used in
6 law enforcement work when secrecy is necessary. This record is separate from the
7 record [VEHICLE REGISTER] required by (a) of this section and may be disclosed
8 only to and upon the request of the chief peace officer of a municipality, a state
9 trooper district commander, the chief federal law enforcement officer assigned to the
10 state, or to a court upon an appropriate order.

11 • Sec. 52. AS 28.10.181(c) is amended to read:

12 (c) Special request plates. Upon application by the owner of a
13 passenger vehicle, motorcycle, noncommercial van or pick-up truck, or motor home,
14 the department shall design and issue registration plates containing a series of not more
15 than six letters or numbers or combination of letters and numbers as requested by the
16 owner. The department may, in its discretion, disapprove the issuance of registration
17 plates under this subsection when the requested symbols are a duplication of an
18 existing registration or when the symbols are considered unacceptable by the
19 department. The department may also design and issue special registration plates
20 depicting Alaska plant life, fish, wildlife, geography, history, or other depictions
21 of the state.

22 • Sec. 53. AS 28.10.181(d) is repealed and reenacted to read:

23 (d) Vehicles owned by disabled veterans, including persons disabled in the line
24 of duty while serving in the Alaska Territorial Guard, or other persons with disabilities.
25 Upon the request of a person with a disability that limits or impairs the ability to walk,
26 as defined in 23 C.F.R. 1235.2, the department shall

27 (1) register one passenger vehicle in the name of the person without
28 charge; and

29 (2) issue a specially designed registration plate that displays

30 (A) recognition of the disabled veteran if the applicant's
31 disability originated from the applicant's service with the Alaska Territorial

1 Guard or the armed forces of the United States; or
2 (B) the standard symbol of disability (the wheelchair logo).

3 * Sec. 54. AS 28.10.181(j) is amended to read:

4 (j) Vehicles owned by dealers. A state-registered and bonded vehicle dealer
5 may apply for dealer registration plates. A plate issued under this subsection may be
6 used only on dealer-owned vehicles during the routine and normal course of the
7 dealer's business, excluding service vehicles, or for transporting an unregistered vehicle
8 from a port of entry to the dealer's facilities or from one dealer to another or, in the
9 case of a house trailer, from the retail facility to a trailer space. A vehicle permitted
10 to have dealer plates must be affixed with two plates issued under this subsection.
11 If the dealer sells or transfers the vehicle, the dealer plates may be used on the vehicle
12 by the new owner or transferee for a period of not more than five days after the sale
13 or transfer. The department may seize the dealer plates if it has reason to believe that
14 the plates are being used to defeat the purposes of, or are in violation of, this chapter.

15 * Sec. 55. AS 28.10.201(b) is amended to read:

16 (b) The owner of a vehicle described in AS 28.10.011 as being exempt from
17 registration and the owner of a snowmobile or off-highway vehicle may not apply for,
18 nor may the department issue, a certificate of title for such a vehicle. However, the
19 department may issue a certificate of title to the owner of a vehicle exempt from
20 registration under AS 28.10.011(3), (6), (7), or (11) [, OR (12)] only upon application
21 by that owner.

22 * Sec. 56. AS 28.10.411(f) is amended to read:

23 (f) A resident 65 years of age or older on January 1 of the year the vehicle is
24 registered is entitled to an exemption once each calendar year from the registration
25 fee required under this section for one motor vehicle subject to registration under
26 AS 28.10.421(b)(1), (2), (5), or (6). An exemption may not be granted except upon
27 written application for the exemption on a form prescribed by the department.

28 * Sec. 57. AS 28.10.421(a) is amended to read:

29 (a) Unless otherwise provided by law,
30 (1) the fees prescribed in this section shall be paid to the department
31 at the times provided under AS 28.10.108 and 28.10.111; and

1	(2) vehicles specified	60	50	40	30	20	15	10	5
2	in AS 28.10.421(b)(1)								
3	(3) vehicles specified	60	50	40	30	20	15	10	5
4	in AS 28.10.421(b)(3)								
5	(4) vehicles specified								
6	in AS 28.10.421 (c)(1)-(4)								
7	5,000 pounds or less	60	50	40	30	20	15	10	5
8	5,001-12,000	100	80	60	50	40	30	20	10
9	pounds								
10	12,001-18,000	150	120	100	80	60	40	30	20
11	pounds								
12	18,001 pounds	200	160	130	100	80	60	40	20
13	or over								
14	(5) vehicles specified	100	80	60	50	40	30	20	10
15	in AS 28.10.421(b)(4)								
16	(6) vehicles specified	8	7	6	5	4	3	2	2
17	in AS 28.10.421(b)(6)								
18	(7) vehicles specified	60	50	40	30	20	15	10	5
19	in AS 28.10.421(d)(9)								
20	(8) vehicles specified	60	50	40	30	20	15	10	5
21	in AS 28.10.421(b)(2)								
22	(9) vehicles eligible	40							
23	for dealer plates under								
24	AS 28.10.421(d)(10).								

25 * Sec. 60. AS 28.10.495(c) is amended to read:

26 (c) Proof of disablement or medical handicap, for the purpose of this section,
 27 shall be the same as that required for the purposes of [PROVIDED AS SPECIFIED
 28 IN] AS 28.10.181(d).

29 * Sec. 61. AS 28.40.100(a)(21) is amended to read:

30 (21) "vehicle" means a device in, upon, or by which a person or
 31 property may be transported or drawn upon or immediately over a highway or

1 vehicular way or area; "vehicle" does not include

2 (A) [EXCEPT] devices used exclusively upon stationary rails
3 or tracks;

4 (B) mobile homes;

5 * Sec. 62. AS 37.05.146(4) is amended by adding a new subparagraph to read:

6 (R) receipts of the group insurance programs established under
7 AS 39.30.090.

8 * Sec. 63. AS 37.05.289(a) is amended to read:

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

17 * Sec. 64. AS 37.05.289 is amended by adding new subsections to read:

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

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

23 * Sec. 65. AS 41.21.020(a) is amended by adding a new paragraph to read:

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

26 * Sec. 66. AS 41.21.026(a) is amended to read:

27 (a) Notwithstanding (b) of this section, the [THE] department may charge
28 and [OR] collect a fee established in this subsection or under (c) of this section in
29 a park unit for

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

31 (2) overnight use of a developed campsite;

- 1 (3) special park use permits;
2 (4) competitive and exclusive commercial use permits;
3 (5) noncompetitive and nonexclusive commercial use permits;
4 (6) use of a sewage holding tank dump station;
5 (7) guided tours of visitor centers and historic sites; [AND]
6 (8) admission to visitor centers and historic sites: \$1 for each
7 person over 18 years of age;
8 (9) use of an improved boat ramp in a park facility developed
9 principally for boat launching;
10 (10) sale of firewood: \$4 per bundle;
11 (11) sale of merchandise related to public use, enjoyment, and
12 understanding of parks, including maps, plans, and other graphic materials;
13 (12) use of a developed trailhead, access site, or picnic site that has
14 developed parking and rest rooms, and use of parking associated with a developed
15 trailhead, access site, or picnic site with developed parking: \$2 per vehicle, or \$25
16 for an annual pass; and
17 (13) presentation or attendance at programs related to natural or
18 cultural history, outdoor skills or education, or other topics concerned with public
19 use, enjoyment, or understanding of parks: \$2 for each person over 18 years of
20 age.

21 * Sec. 67. AS 41.21.026(c) is amended to read:

22 (c) The department shall establish the fees that may be charged or collected
23 under (a) of this section by regulation if the fees are not established in (a) of this
24 section. Before setting the fees, the department shall consider at public hearings

25 (1) the cost to the state of operating the facility or managing the
26 activity;

27 (2) the normal fees charged for similar facilities or activities by
28 governmental and nongovernmental entities;

29 (3) the cost of administering a fee collection program for the facility
30 or activity; and

31 (4) the public interest.

1 * **Sec. 68.** AS 47.07.020(b) is amended by adding a new paragraph to read:

2 (11) persons under age 21 not covered under (a) of this section who the
3 department has determined cannot be placed for adoption without medical assistance
4 because of a special need for medical or rehabilitative care and who the department
5 has determined are hard-to-place children eligible for subsidy under AS 25.23.190 -
6 25.23.220.

7 * **Sec. 69.** AS 47.07.035 is amended by adding a new paragraph to read:

8 (28) individuals under age 21 who the department has determined
9 cannot be placed for adoption without medical assistance because of a special need for
10 medical or rehabilitative care and who the department has determined are hard-to-place
11 children eligible for subsidy under AS 25.23.190 - 25.23.220.

12 * **Sec. 70.** AS 13.26.410(b); AS 16.05.390(c); AS 28.10.011(12), 28.10.181(k),
13 28.10.421(d)(12); AS 28.22.011(a)(3); and AS 37.05.210(1) are repealed.

14 * **Sec. 71. IMPLEMENTATION OF BIENNIAL LICENSURE BY ALCOHOLIC**
15 **BEVERAGE CONTROL BOARD.** (a) Approximately one-half of the applicants for renewal,
16 for 1994, of a license issued by the Alcoholic Beverage Control Board, as determined by the
17 director of the Alcoholic Beverage Control Board, shall be eligible for a one-year license.
18 These licenses expire, unless renewed, on December 31, 1994, and may be renewed biennially
19 in even-numbered years after that. The 1994 renewal fee for these licenses is one-half of the
20 biennial license fee.

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

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

31 * **Sec. 72. IMPLEMENTATION OF BIENNIAL LICENSING BY THE DEPARTMENT**

1 OF LABOR. Notwithstanding AS 18.62.020, as amended by sec. 46 of this Act, and to ensure
2 that approximately one-half of all certificates of fitness expire in any one fiscal year,
3 approximately one-half of the applicants for renewal certificates of fitness during the first three
4 fiscal years after the effective date of sec. 46 of this Act, as determined by the Department
5 of Labor, shall receive a one-year renewal certificate, which may be renewed biennially after
6 that. The renewal fee for a one-year certificate is \$80.

7 * Sec. 73. TRANSITION. Notwithstanding secs. 76 - 78 of this Act, an agency of the
8 state that has regulation adoption authority or that is authorized by this Act to adopt
9 regulations, may proceed to adopt regulations necessary to implement that agency's respective
10 provisions in this Act. The regulations take effect under AS 44.62 (Administrative Procedure
11 Act), but not before the respective effective date of the relevant section or sections of this Act.

12 * Sec. 74. The amendment to AS 13.26.410(a) by sec. 33 of this Act has the effect of
13 amending Alaska Rule of Probate Procedure 16(d) by providing for compensation for
14 guardianship services without an order of the court.

15 * Sec. 75. Sections 71 - 73 of this Act take effect immediately under AS 01.10.070(c).

16 * Sec. 76. Sections 33 - 35, 44 - 70, and 74 of this Act take effect July 1, 1993.

17 * Sec. 77. Sections 1 - 32 of this Act take effect December 31, 1993.

18 * Sec. 78. Sections 36 - 43 of this Act take effect July 1, 1994.