CS FOR SENATE BILL NO. 99(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/26/93
Referred: RULES

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, proration of state payments,
8 extensions of state leases, receipt of donations and charging of fees by the
9 Department of Natural Resources, coverage [illegible] ons under Medicaid, and
10 revising the order of priority for coverage of optional medical services under
11 Medicaid; amending Alaska Rule of Probate Procedure 16(d); and providing for
12 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:

Total Business Transacted During Calendar Year	Annual Fee
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.

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:

Total Business Transacted During Calendar Year	Annual Fee
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
over $200,000 and not over $400,000 ..... $ 4,000
over $400,000 and not over $600,000 ..... $ 6,000
over $600,000 and not over $800,000 ..... $ 8,000
over $800,000 ..... $10,000.

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

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

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

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

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

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

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

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

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

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

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

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

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

(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 $200 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) the board finds, after review of all relevant information, that renewal of the license would not be in the best interests of the public;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(u) A loan guarantee fee of one percent of the total scholarship loan amount shall be assessed upon a scholarship loan that is funded from the student loan fund of the Alaska Student Loan Corporation. The loan guarantee fee shall be added as a finance charge to the total loan amount awarded, notwithstanding the loan limits set

out at AS 14.43.110 and 14.43.115. Subject to appropriation, the loan guarantee fees shall be deposited into a guarantee fee account within the student loan fund of the Alaska Student Loan Corporation, and subsequently transferred by the commission to loan accounts within the student loan fund to offset losses incurred due to student loan debt cancellation as a result of death, disability, or bankruptcy of the student.

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

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

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

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

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

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

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

(d) Proceeds from a teacher scholarship loan may be used only for undergraduate expenses of books, tuition, required fees, **loan guarantee fees,** room and

1 board, and the transportation expense for two round trips between the loan recipient's
2 home and school.
3 * Sec. 43. AS 14.43.740(a) is amended to read:
4 (a) The provisions of AS 14.43.100, 14.43.110, 14.43.115, 14.43.120(a) - (d),
5 (i), (m), and (r) - (u) [(r) - (t)], and 14.43.135 apply to a loan made under
6 AS 14.43.710 - 14.43.790.
7 * Sec. 44. AS 16.05.390(d) is amended to read:
8 (d) Compensation provided by this section shall be paid from appropriations
9 made to the department [FROM THE GENERAL FUND].
10 * Sec. 45. AS 18.60.220 is amended to read:
11 Sec. 18.60.220. DUTIES OF THE DEPARTMENT OF LABOR. The
12 Department of Labor shall
13 (1) have all violators of AS 18.60.180 - 18.60.390 prosecuted;
14 (2) issue, suspend, or revoke for cause, inspection certificates provided
15 for in AS 18.60.390;
16 (3) take action necessary for the enforcement of the laws and
17 regulations governing the use of boilers and unfired pressure vessels;
18 (4) keep a complete record of the type, dimensions, maximum
19 allowable working pressure, age, condition, location, and date of the last recorded
20 internal inspection of boilers and unfired pressure vessels to which AS 18.60.180 -
21 18.60.390 apply;
22 (5) adopt regulations establishing reasonable fees for administering
23 special inspector examinations and for processing applications for special
24 inspector commissions; and
25 (6) do acts necessary to carry out the purposes of AS 18.60.180 -
26 18.60.390.
27 * Sec. 46. AS 18.62.020 is amended to read:
28 Sec. 18.62.020. APPLICATION FOR AND ISSUANCE OF CERTIFICATE.
29 The department shall issue certificates of fitness and renewal [VALID FOR ONE
30 YEAR AND] certificates of fitness valid for two [THREE] years. The certificate may
31 [SHALL] be issued only to an individual. An applicant for a certificate shall apply

1 in writing, 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 18.62.030 is repealed and reenacted to read:
9 Sec. 18.62.030. FEES. An applicant shall pay a nonrefundable application and
10 examination fee of $50 when applying for a trainee or journeyman level certificate of
11 fitness. The department shall charge a biennial fee of $160 for the issuance of a
12 trainee or journeyman level certificate or a renewal certificate, to be prorated if issued
13 for less than two years, and a fee of $25 for the issuance of a duplicate certificate.
14 * Sec. 48. AS 18.65.220 is amended by adding a new paragraph to read:
15 (7) charge and collect a fee of $50 for processing applications for
16 certification of police, probation, parole, and correctional officers.
17 * Sec. 49. AS 23.15.390 is amended to read:
18 Sec. 23.15.390. TERM OF PERMIT; FEES. The fee for filing an application
19 for a permit is $10. A permit is valid for a term of two years. The biennial fee
20 for the issuance of a permit, including a renewal permit, is $100. All fees shall be
21 deposited in the general fund. In addition to paying this fee, all persons conducting
22 employment agencies shall [MUST] comply with the provisions of AS 43.70 (Alaska
23 Business License Act).
24 * Sec. 50. AS 28.10.071(a) is amended to read:
25 (a) The department shall review each application for registration received and,
26 when satisfied that it is correct, register the vehicle and keep a record of the
27 registration in suitable books, index cards, or electronic or photographic recording and
28 storage media, or in any combination of them. The [RECORD IS REFERRED TO
29 AS THE "VEHICLE REGISTER" AND THE] vehicles are referred to as "registered
30 vehicles." The department may compile a record of the number and types of vehicles
31 registered in this state and may make statistical data available to the public for a fee

as prescribed in regulations adopted by the commissioner. The department may also provide vehicle registration lists to the public for a fee, but only as an electronic service or product under AS 09.25.115. The commissioner may prescribe, by regulation, fees relating to the provision of vehicle registration lists.

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

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

* Sec. 52. AS 28.10.161(a) is amended to read:

(a) The department, upon registering a vehicle, shall issue the owner one fully reflectorized registration plate [FOR A TRAILER OR A MOTORCYCLE AND TWO FULLY REFLECTORIZED REGISTRATION PLATES FOR EVERY OTHER VEHICLE]. Except as specifically provided in AS 28.10.181, the plate [OR PLATES] must remain with the vehicle as long as the vehicle is subject to registration under this chapter.

* Sec. 53. AS 28.10.171(a) is amended to read:

(a) The [WHEN TWO] registration plate [PLATES ARE] issued for a vehicle [, THEY SHALL BE ATTACHED TO THE VEHICLE FOR WHICH ISSUED, ONE IN FRONT AND THE OTHER IN THE REAR. WHEN ONE REGISTRATION PLATE IS ISSUED, IT] shall be attached to the rear of the vehicle for which issued.

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

(c) Special request plates. Upon application by the owner of a passenger vehicle, motorcycle, noncommercial van or pick-up truck, or motor home, the department shall design and issue registration plates containing a series of not more than six letters or numbers or combination of letters and numbers as requested by the owner. The department may, in its discretion, disapprove the issuance of registration plates under this subsection when the requested symbols are a duplication of an existing registration or when the symbols are considered unacceptable by the

department. The department may also design and issue special registration plates depicting Alaska plant life, fish, wildlife, geography, history, or other depictions of the state.

* Sec. 55. AS 28.10.181(d) is repealed and reenacted to read:

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

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

(2) issue a specially designed registration plate that displays

(A) recognition of the disabled veteran if the applicant's disability originated from the applicant's service with the Alaska Territorial Guard or the armed forces of the United States; or

(B) the standard symbol of disability (the wheelchair logo).

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

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

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

(a) Unless otherwise provided by law,

(1) the fees prescribed in this section shall be paid to the department at the times provided under AS 28.10.108 and 28.10.111; and

(2) an additional fee of $10 shall be added to the registration fee set out in this section for registration not conducted by mail; the department may waive this additional fee for a good cause based on criteria established in regulations adopted by the department.

* Sec. 58. AS 28.10.421(d)(2) is amended to read:

(2) special request plates for

(A) Alaska National Guard personnel $30;

(B) veterans or retired veterans $30;

(C) recipients of the Purple Heart $30;

(D) plates that depict Alaska plant life, fish, wildlife, geography, history, or other depictions of the state ..... $50; plus the fee required for that vehicle under (b) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;

(E) [(D)] other special request plates ..... $30; plus the fee required for that vehicle under (b) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;

* **Sec. 59.** AS 28.10.495(c) is amended to read:

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

* **Sec. 60.** AS 37.05.146(4) is amended by adding a new subparagraph to read:

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

* **Sec. 61.** AS 37.05.289(a) is amended to read:

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

* **Sec. 62.** AS 37.05.289 is amended by adding new subsections to read:

(c) The $5,000,000 cap, set in (b) of this section, on money that may be 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. 63. AS 37.07 is amended by adding a new section to read:

5 Sec. 37.07.085. PRORATION OF PAYMENTS. (a) At the beginning of each

6 fiscal year, an agency that administers grants, reimbursement, revenue sharing, public

7 assistance, or other programs to distribute state money under a statute shall determine

8 whether appropriations for the fiscal year are sufficient to pay all anticipated claims

9 and entitlements under the statute. Except as provided in (d) of this section or as

10 otherwise provided by law prescribing agency action in response to insufficient

11 appropriations, if appropriations are not sufficient, the agency shall reduce the amount

12 to be paid to eligible recipients by prorating the shortfall among the eligible recipients.

13 (b) An agency that is paying reduced payments under (a) of this section shall

14 determine, on December 30 of the fiscal year, whether money available is sufficient

15 to fund the reduced payment level for the remainder of the fiscal year.

16 (c) An agency that has determined that appropriations are insufficient under

17 (a) or (b) of this section shall report to the governor, and the governor shall report to

18 the legislature by the 10th day of the next regular legislative session, the amount of

19 additional money needed for the remainder of that fiscal year to fund payments at the

20 reduced level and the amount of additional money needed to make full payments to

21 eligible recipients.

22 (d) An agency that has determined that appropriations are insufficient under

23 (a) of this section may not reduce payments if the reduction would violate the terms

24 of an agreement between the state and the federal government or would violate a

25 requirement for participation in a federal program in which the state is participating.

26 As required by (c) of this section, the agency and the governor shall report regarding

27 the amount of money needed to make full payments to eligible recipients.

28 (e) The commissioner of administration may adopt regulations necessary to

29 implement this section.

30 * Sec. 64. AS 41.21.020(a) is amended by adding a new paragraph to read:

31 (14) accept cash and other donations from public or private sources to

1 assist and support the department in carrying out the purposes of this chapter.

2 * Sec. 65. AS 41.21.026(a) is amended to read:

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

4 **and** [OR] collect a fee in a park unit for

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

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

7 (3) special park use permits;

8 (4) competitive and exclusive commercial use permits;

9 (5) noncompetitive and nonexclusive commercial use permits;

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

11 (7) guided tours of **visitor centers and** historic sites; [AND]

12 **(8) admission to visitor centers and historic sites;**

13 **(9)** use of an improved boat ramp in a park facility developed

14 principally for boat launching**, except that the department may not charge a fee for**

15 **the use of an improved boat ramp by a person who uses the ramp for access to**

16 **the person's home or other property if the ramp is the only reasonable access to**

17 **the person's home or other property;**

18 **(10) sale of firewood;**

19 **(11) sale of merchandise related to public use, enjoyment, and**

20 **understanding of parks, including maps, plans, and other graphic materials;**

21 **(12) use of a developed trailhead, access site, or picnic site that has**

22 **developed parking and rest rooms, and use of parking associated with a developed**

23 **trailhead, access site, or picnic site with developed parking; and**

24 **(13) presentation or attendance at programs related to natural or**

25 **cultural history, outdoor skills or education, or other topics concerned with public**

26 **use, enjoyment, or understanding of parks.**

27 * Sec. 66. AS 47.07.020(b) is amended by adding a new paragraph to read:

28 (11) persons under age 21 not covered under (a) of this section who the

29 department has determined cannot be placed for adoption without medical assistance

30 because of a special need for medical or rehabilitative care and who the department

31 has determined are hard-to-place children eligible for subsidy under AS 25.23.190 -

1 25.23.220.

2 * Sec. 67. AS 47.07.035 is amended by adding a new paragraph to read:

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

7 * Sec. 68. AS 13.26.410(b); AS 28.10.181(k), 28.10.421(d)(12); AS 28.22.011(a)(3); and
8 AS 37.05.210(1) are repealed.

9 * Sec. 69. IMPLEMENTATION OF BIENNIAL LICENSURE BY ALCOHOLIC
10 BEVERAGE CONTROL BOARD. (a) Approximately one-half of the applicants for renewal,
11 for 1994, of a license issued by the Alcoholic Beverage Control Board, as determined by the
12 director of the Alcoholic Beverage Control Board, shall be eligible for a one-year license.
13 These licenses expire, unless renewed, on December 31, 1994, and may be renewed biennially
14 in even-numbered years after that. The 1994 renewal fee for these licenses is one-half of the
15 biennial license fee.

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

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

26 * Sec. 70. IMPLEMENTATION OF BIENNIAL LICENSING BY THE DEPARTMENT
27 OF LABOR. Notwithstanding AS 18.62.020, as amended by sec. 46 of this Act, and to ensure
28 that approximately one-half of all certificates of fitness expire in any one fiscal year,
29 approximately one-half of the applicants for renewal certificates of fitness during the first three
30 fiscal years after the effective date of sec. 46 of this Act, as determined by the Department
31 of Labor, shall receive a one-year renewal certificate, which may be renewed biennially after

1 that. The renewal fee for a one-year certificate is $80.

2 * Sec. 71. LEASE EXTENSIONS AUTHORIZED. (a) Notwithstanding AS 36.30, the
3 Department of Administration, the University of Alaska, the legislature, and the court system
4 may extend for up to a maximum extension of five years a real property lease that is entered
5 into under AS 36.30, including procedures and regulations adopted under AS 36.30.005(c) and
6 36.30.020 - 36.30.030, and that is in existence on the effective date of this section if a
7 minimum cost savings of

8 (1) 10 percent can be achieved on the rent due under the lease; or

9 (2) five percent can be achieved on the rent due under the lease and the lessor
10 agrees to make modifications of the leased real property to bring the real property into
11 compliance with the requirements of 42 U.S.C. 12101 - 12213 (Americans with Disabilities
12 Act of 1990).

13 (b) The cost savings under (a) of this section shall be calculated on the remaining term
14 of the lease and any renewals, including extensions allowed under (a) of this section.

15 (c) The Department of Administration, the University of Alaska, the Alaska Court
16 System, and the Legislative Affairs Agency shall submit a quarterly report to the Legislative
17 Budget and Audit Committee detailing the leases extended and the cost savings achieved
18 under (a) - (b) of this section. The first report is due July 1, 1994, and must cover the period
19 from the effective date of this section through March 31, 1994. The subsequent reports shall
20 be made October 1, 1994, January 2, 1995, and April 1, 1995.

21 * Sec. 72. TEMPORARY FEES IN STATE PARKS. (a) The following fees apply for
22 the following activities in units of the state park system until the Department of Natural
23 Resources adopts a regulation under AS 41.21.026(a), as amended by sec. 65 of this Act, that
24 establishes a fee for that activity;

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

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

29 (3) admission to visitor centers or historic sites: $5 for each person over 10
30 years of age;

31 (4) presentation or attendance at programs related to natural or cultural history,

1 outdoor skills or education, or other topics concerned with public use, enjoyment, or
2 understanding of parks: $2 for each person over 10 years of age.
3 (b) The commissioner of natural resources shall notify the revisor of statutes when a
4 regulation is effective that establishes a fee for an activity described in (a) of this section.
5 * Sec. 73. TRANSITION. Notwithstanding secs. 77 - 79 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. 74. REVISOR'S INSTRUCTION. Wherever in AS 28 the words "plates" or
11 "registration plates" or a similar phrase occurs, the revisor of statutes shall substitute "plate"
12 or "registration plate" and make necessary related word changes when necessary to implement
13 the amendments to AS 28.10.161 and 28.10.171 by secs. 52 and 53 of this Act.
14 * Sec. 75. The amendment to AS 13.26.410(a) by sec. 33 of this Act has the effect of
15 amending Alaska Rule of Probate Procedure 16(d) by providing for compensation for
16 guardianship services without an order of the court.
17 * Sec. 76. Sections 63 and 69 - 73 of this Act take effect immediately under
18 AS 01.10.070(c).
19 * Sec. 77. Sections 33 - 35, 44 - 62, 64 - 68, 74, and 75 of this Act take effect July 1,
20 1993.
21 * Sec. 78. Sections 1 - 32 of this Act take effect December 31, 1993.
22 * Sec. 79. Sections 36 - 43 of this Act take effect July 1, 1994.