

CS FOR SENATE BILL NO. 99(FIN) am(efd fld)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 5/2/93
Offered: 4/26/93

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to licenses, certificates, permits, and programs administered and
 2 fees charged by the Alcoholic Beverage Control Board, the office of public
 3 advocacy, the Alaska Commission on Postsecondary Education, the Department of
 4 Fish and Game, the Department of Labor, the Alaska Police Standards Council,
 5 the Department of Natural Resources, and the Department of Environmental
 6 Conservation; relating to moving expenses for legislators; relating to motor vehicle
 7 registration and insurance and the definition of 'vehicle'; relating to the
 8 administration of the state insurance catastrophe reserve account; requiring
 9 proration of certain state payments; relating to fiscal reporting and accounting by
 10 the Department of Administration; relating to the provision of group life or group
 11 health insurance for state employees; authorizing the Department of Natural
 12 Resources to accept certain donations for parks and recreation; extending the

1 suspension of certain tax credit provisions; relating to coverage of persons under
2 Medicaid and revising the order of priority for coverage of optional medical
3 services under Medicaid; providing for extensions of certain state leases; changing
4 the number of days required for issuance of a denial of an intrastate application
5 by the Alaska Public Utilities Commission from 90 to 180 days; and amending
6 Alaska Rule of Probate Procedure 16(d)."

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

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

9 (b) The biennial [ANNUAL] beverage dispensary license fee is \$2,500
10 [\$1,250].

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

12 (d) The biennial [ANNUAL] fee for a restaurant or eating place license is
13 \$600 [\$300].

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (a) A general wholesale license authorizes the holder to sell alcoholic
4 beverages in the original package, and wine in bulk, in quantities of not less than five
5 gallons. A holder of a general wholesale license may not sell to a person not licensed
6 under this title, except as provided in AS 04.21.040. A holder of a general wholesale
7 license may not sell alcoholic beverages unless any stamps required to be affixed to
8 the package by state or federal law are intact on the package. A wholesaler must
9 obtain a general wholesale license for each distributing point. The biennial
10 [ANNUAL] general wholesale license fee is \$2,000 [\$1,000 FOR THE FIRST
11 \$100,000 OF BUSINESS TRANSACTED], payable at the time of making an original
12 application or an application for renewal. In addition, the following annual fees shall
13 be paid by a holder of a general wholesale license:

14 <u>Total</u> Business Transacted During <u>Calendar</u> Year	<u>Annual</u> Fee
15 over \$100,000 and not over \$150,000	\$ 500
16 over \$150,000 and not over \$200,000	\$ 1,000
17 over \$200,000 and not over \$250,000	\$ 1,500
18 over \$250,000 and not over \$300,000	\$ 2,000
19 over \$300,000 and not over \$350,000	\$ 2,500
20 over \$350,000 and not over \$400,000	\$ 3,000
21 over \$400,000 and not over \$500,000	\$ 4,000
22 over \$500,000 and not over \$600,000	\$ 5,000
23 over \$600,000 and not over \$700,000	\$ 6,000
24 over \$700,000 and not over \$800,000	\$ 7,000
25 over \$800,000 and not over \$1,000,000	\$ 9,000
26 over \$1,000,000	\$10,000.

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

28 (b) A wholesale malt beverage and wine license authorizes the holder to sell
29 malt beverages and wine in the original packages in quantities of not less than five
30 gallons. The holder of a wholesale malt beverage and wine license may not sell to a
31 person not licensed under this title except as provided in AS 04.21.040. The biennial

1 [ANNUAL] wholesale malt beverage and wine license fee is \$400 [~~\$200 FOR THE~~
2 FIRST \$20,000 OF BUSINESS TRANSACTED DURING A YEAR], payable at the
3 time of making an original application or application for renewal. In addition, the
4 following annual fees shall be paid by a holder of a wholesale malt beverage and wine
5 license:

6 <u>Total</u> Business Transacted During <u>Calendar</u> Year	<u>Annual</u> Fee
7 over \$20,000 and not over \$50,000	\$ 300
8 over \$50,000 and not over \$100,000	\$ 1,000
9 over \$100,000 and not over \$150,000	\$ 1,500
10 over \$150,000 and not over \$200,000	\$ 2,000
11 over \$200,000 and not over \$400,000	\$ 4,000
12 over \$400,000 and not over \$600,000	\$ 6,000
13 over \$600,000 and not over \$800,000	\$ 8,000
14 over \$800,000	\$10,000.

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

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

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

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

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

26 (b) The biennial [ANNUAL] fee for a common carrier dispensary license is
27 \$700 [~~\$350~~] for each vehicle, boat, aircraft, or railroad buffet car in which alcoholic
28 beverages are served.

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

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

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

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

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

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

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

8 (b) An applicant for a conditional contractor's permit must obtain and file with
9 the board written permission from the commanding officer of the military or naval
10 reservation and the prime contractor of the remotely situated project for the conduct
11 of the activities authorized by the permit. A conditional contractor's permit may be
12 renewed biennially [ANNUALLY] upon reapplication for a permit and may be
13 revoked or suspended at the discretion of the commanding officer or the prime
14 contractor.

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

16 (d) The biennial [ANNUAL] conditional contractor's permit fee is \$1,200
17 [\$600].

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (d) Notwithstanding (a) (3) of this section, a recreational site license issued
31 under AS 04.11.210 may be renewed if the license was exercised at least once during

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

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

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

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

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

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

27 (b) If a majority of the voters vote "yes" on the question set out in (a) of this
28 section, a person, beginning on the first day of the month following certification of the
29 results of the election, may not knowingly send, transport, or bring an alcoholic
30 beverage into the municipality or established village, unless the alcoholic beverage is
31 sacramental wine to be used for bona fide religious purposes based on tenets or

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

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

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

1 this subsection [SECTION], by payment of a prorated portion of the biennial
2 [ANNUAL] license fee.

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

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

24 * Sec. 29. AS 04.11.500(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 may not issue, renew, or transfer between holders or locations
28 a license for licensed premises located within the boundaries of the municipality and
29 in unincorporated areas within five miles of the boundaries of the municipality or
30 within the perimeter of the established village, except those types of licenses listed on
31 the ballot. Licenses in effect within the boundaries of the municipality or perimeter

1 of the established village, and in an unincorporated area outside of but within five
2 miles of the boundaries of the municipality, except those types of licenses listed on the
3 ballot, are void 90 days after the results of the election are certified. A license that
4 will expire during the 90 days after the results of a local option election under this
5 section are certified may be extended, until it is void under this subsection, by payment
6 of a prorated portion of the biennial [ANNUAL] license fee.

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

8 (c) If the majority of the voters vote "no" on the question set out in (a) of this
9 section or vote "yes" on the questions set out in AS 04.11.490, 04.11.492, 04.11.496,
10 or this section if different types of licenses are listed on the ballot in an election
11 conducted in accordance with AS 04.11.502 after an election in which the voters voted
12 "yes" on the question set out in (a) of this section, the board shall be notified
13 immediately after certification of the results of the election. Licenses in effect in the
14 municipality, in the unincorporated area outside of but within five miles of the
15 boundaries of the municipality or established village that were excepted from the
16 prohibition on sale in accordance with the results of the earlier election are void 90
17 days after the results of the election are certified. Thereafter the board may not issue,
18 renew, or transfer between holders or locations a license for licensed premises located
19 within the boundaries of the municipality or within the perimeter of an established
20 village, or in an unincorporated area within five miles of the boundaries of the
21 municipality, except a license that may be issued to a municipality or to one of the
22 types of licenses listed on the ballot as a result of a majority of the voters voting "yes"
23 on the question set out in AS 04.11.492 or this section, respectively. A license that
24 will expire during the 90 days after the results of a local option election under this
25 section are certified may be extended, until it is void under this subsection, by payment
26 of a prorated portion of the biennial [ANNUAL] license fee.

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

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

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

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

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

8 (a) The commissioner of administration may establish by regulation a schedule
9 of reasonable fees for the costs of the public guardian's services. The fee schedule
10 established may be based upon the ability of the ward or protected person to pay for
11 guardian services but may not exceed the actual cost of providing public guardian
12 services. The Office of Public Advocacy shall charge and collect the fees established
13 under this subsection, but may waive collection of a fee upon a finding that collection
14 is not economically feasible or in the public interest.

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

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

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

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

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

25 (a) Proceeds from a scholarship loan to a full-time student may only be used
26 for books, tuition and required fees, ~~loan guarantee fees,~~ and [FOR] room and board.
27 Proceeds from a scholarship loan to a half-time student may only be used for books,
28 [AND] tuition and required fees, ~~and loan guarantee fees.~~

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

30 (h) Security may not be required for a loan; however, ~~a loan guarantee fee,~~
31 as specified in (u) of this section, shall be charged at the time that the loan is

1 awarded. Additionally, provision shall be made for payment of all fees and costs
2 incurred in collection of the amount owed on the loan if it becomes delinquent or in
3 default.

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

5 (u) A loan guarantee fee of one percent of the total scholarship loan amount
6 shall be assessed upon a scholarship loan that is funded from the student loan fund of
7 the Alaska Student Loan Corporation. The loan guarantee fee shall be added as a
8 finance charge to the total loan amount awarded, notwithstanding the loan limits set
9 out at AS 14.43.110 and 14.43.115. Subject to appropriation, the loan guarantee fees
10 shall be deposited into a guarantee fee account within the student loan fund of the
11 Alaska Student Loan Corporation, and subsequently transferred by the commission to
12 loan accounts within the student loan fund to offset losses incurred due to student loan
13 debt cancellation as a result of death, disability, or bankruptcy of the student.

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

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

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

26 (g) A loan guarantee fee of one percent of the total memorial scholarship loan
27 amount shall be assessed upon a memorial scholarship loan. The loan guarantee fee
28 shall be added as a finance charge to the total loan amount awarded. Subject to
29 appropriation, the loan guarantee fee shall be deposited into a guarantee fee account
30 within the memorial scholarship revolving loan fund, and subsequently transferred by
31 the commission to the appropriate memorial scholarship accounts within the memorial

1 scholarship revolving loan fund to offset losses incurred due to loan debt cancellation
2 as a result of death, disability, or bankruptcy of the student.

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

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

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

7 (d) Proceeds from a teacher scholarship loan may be used only for
8 undergraduate expenses of books, tuition, required fees, loan guarantee fees, room and
9 board, and the transportation expense for two round trips between the loan recipient's
10 home and school.

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

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

15 * Sec. 44. AS 16.05.340(a)(24) is amended to read:

16 (24) Nonresident anadromous king salmon tag -- valid for the period
17 inscribed on the tag

18 (A) for a one-day tag \$10

19 (B) for a three-day tag 15

20 (C) for a 14-day or annual tag 35 [\$20].

21 A nonresident may not engage in sport fishing for anadromous king salmon without
22 having a valid anadromous [THE CURRENT YEAR'S] king salmon tag in the
23 person's actual possession, unless that person is under the age of 16. However,
24 members of the military service on active duty who are permanently stationed in
25 the state, and their dependents, who do not qualify as residents under
26 AS 16.05.940, may obtain an annual nonresident military anadromous king
27 salmon tag for \$20.

28 * Sec. 45. AS 16.05.350 is amended to read:

29 Sec. 16.05.350. EXPIRATION OF LICENSES AND TAGS. Licenses and tags
30 required under AS 16.05.330 - 16.05.430, except biennial licenses, the nonresident
31 special sport fishing license, the resident trapping license, the one, three, or 14-day

1 ~~nonresident anadromous king salmon tag~~, and the waterfowl conservation tag, expire
2 at the close of December 31 following issuance. Biennial licenses expire after
3 December 31 of the year following the year of issuance. The resident trapping license
4 expires at the close of September 30 of the year following the year in which the
5 license is issued. The waterfowl conservation tag expires at the close of January 31
6 of the year following the year of issue of the tag."

7 * Sec. 46. 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. 47. 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. 48. 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. 49. 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. 50. 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. 51. 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. 52. AS 24.10.130 is repealed and reenacted to read:

25 Sec. 24.10.130. MOVING EXPENSES. (a) A member of the
26 legislature is entitled to reimbursement for the expenses of moving between the
27 member's place of residence and the capitol city for the purpose of attending a regular
28 session of the legislature.

29 (b) The Alaska Legislative Council shall adopt a policy regarding
30 reimbursement for moving expenses applicable to all legislators. The policy must set
31 conditions for the receipt of reimbursement for moving expenses and amounts of

1 reimbursement adapted to the special needs of the legislative branch as determined by
2 the council.

3 • Sec. 53. AS 28.10.071(a) is amended to read:

4 (a) The department shall review each application for registration received and,
5 when satisfied that it is correct, register the vehicle and keep a record of the
6 registration in suitable books, index cards, or electronic or photographic recording and
7 storage media, or in any combination of them. The [RECORD IS REFERRED TO
8 AS THE "VEHICLE REGISTER" AND THE] vehicles are referred to as "registered
9 vehicles." The department may compile a record of the number and types of vehicles
10 registered in this state and may make statistical data available to the public for a fee
11 as prescribed in regulations adopted by the commissioner. The department may also
12 provide vehicle registration lists to the public for a fee, but only as an electronic
13 service or product under AS 09.25.115. The commissioner may prescribe, by
14 regulation, fees relating to the provision of vehicle registration lists.

15 • Sec. 54. AS 28.10.071(c) is amended to read:

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

22 • Sec. 55. AS 28.10.161(a) is amended to read:

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

29 • Sec. 56. AS 28.10.171(a) is amended to read:

30 (a) The [WHEN TWO] registration plate [PLATES ARE] issued for a vehicle
31 [, THEY SHALL BE ATTACHED TO THE VEHICLE FOR WHICH ISSUED, ONE

1 IN FRONT AND THE OTHER IN THE REAR. WHEN ONE REGISTRATION
2 PLATE IS ISSUED, IT] shall be attached to the rear of the vehicle for which issued.

3 • Sec. 57. AS 28.10.181(c) is amended to read:

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

14 • Sec. 58. AS 28.10.181(d) is repealed and reenacted to read:

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

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

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

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

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

26 • Sec. 59. AS 28.10.411(f) is amended to read:

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

1 * **Sec. 60.** AS 28.10.421(a) is amended to read:
2 (a) Unless otherwise provided by law,
3 (1) the fees prescribed in this section shall be paid to the department
4 at the times provided under AS 28.10.108 and 28.10.111; and
5 (2) an additional fee of \$10 shall be added to the registration fee
6 set out in this section for registration not conducted by mail; the department may
7 waive this additional fee for a good cause based on criteria established in
8 regulations adopted by the department.

9 * **Sec. 61.** AS 28.10.421(d)(2) is amended to read:
10 (2) special request plates for
11 (A) Alaska National Guard personnel \$30;
12 (B) veterans or retired veterans \$30;
13 (C) recipients of the Purple Heart \$30;
14 (D) plates that depict Alaska plant life, fish, wildlife,
15 geography, history, or other depictions of the state \$50;
16 plus the fee required for that vehicle under (b) of this section; the fee
17 required by this paragraph shall be collected only on the first issuance and
18 on the replacement of special request plates;
19 (E) [(D)] other special request plates \$30;
20 plus the fee required for that vehicle under (b) of this section; the fee required
21 by this paragraph shall be collected only on the first issuance and on the
22 replacement of special request plates;

23 * **Sec. 62.** AS 28.10.495(c) is amended to read:
24 (c) Proof of disablement or medical handicap, for the purpose of this section,
25 shall be the same as that required for the purposes of [PROVIDED AS SPECIFIED
26 IN] AS 28.10.181(d).

27 * **Sec. 63.** 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. 64.** 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. 65. 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. 66. AS 37.07 is amended by adding a new section to read:

15 Sec. 37.07.085. PRORATION OF PAYMENTS. (a) At the beginning of each
16 fiscal year, an agency that administers grants, reimbursement, revenue sharing, public
17 assistance, or other programs to distribute state money under a statute shall determine
18 whether appropriations for the fiscal year are sufficient to pay all anticipated claims
19 and entitlements under the statute. Except as provided in (d) of this section or as
20 otherwise provided by law prescribing agency action in response to insufficient
21 appropriations, if appropriations are not sufficient, the agency shall reduce the amount
22 to be paid to eligible recipients by prorating the shortfall among the eligible recipients.

23 (b) An agency that is paying reduced payments under (a) of this section shall
24 determine, on December 30 of the fiscal year, whether money available is sufficient
25 to fund the reduced payment level for the remainder of the fiscal year.

26 (c) An agency that has determined that appropriations are insufficient under
27 (a) or (b) of this section shall report to the governor, and the governor shall report to
28 the legislature by the 10th day of the next regular legislative session, the amount of
29 additional money needed for the remainder of that fiscal year to fund payments at the
30 reduced level and the amount of additional money needed to make full payments to
31 eligible recipients.

1 (d) An agency that has determined that appropriations are insufficient under
2 (a) of this section may not reduce payments if the reduction would violate the terms
3 of an agreement between the state and the federal government or would violate a
4 requirement for participation in a federal program in which the state is participating.
5 As required by (c) of this section, the agency and the governor shall report regarding
6 the amount of money needed to make full payments to eligible recipients.

7 (e) The commissioner of administration may adopt regulations necessary to
8 implement this section.

9 • Sec. 67. AS 41.21.020(a) is amended by adding a new paragraph to read:

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

12 • Sec. 68. AS 41.21.026(a) is amended to read:

13 (a) Notwithstanding (b) of this section, the [THE] department may charge
14 and [OR] collect a fee in a park unit for

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

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

17 (3) special park use permits;

18 (4) competitive and exclusive commercial use permits;

19 (5) noncompetitive and nonexclusive commercial use permits;

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

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

22 (8) admission to visitor centers and historic sites;

23 (9) use of an improved boat ramp in a park facility developed
24 principally for boat launching, except that the department may not charge a fee for
25 the use of an improved boat ramp by a person who uses the ramp for access to
26 the person's home or other property if the ramp is the only reasonable access to
27 the person's home or other property;

28 (10) sale of firewood;

29 (11) sale of merchandise related to public use, enjoyment, and
30 understanding of parks, including maps, plans, and other graphic materials;

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

1 developed parking and rest rooms, and use of parking associated with a developed
2 trailhead, access site, or picnic site with developed parking; and

3 (13) presentation or attendance at programs related to natural or
4 cultural history, outdoor skills or education, or other topics concerned with public
5 use, enjoyment, or understanding of parks.

6 * Sec. 69. AS 42.05.810(b) is amended to read:

7 (b) Beginning February 15, 1991, the commission shall accept
8 applications to provide competitive long distance telephone service and shall approve
9 or reject applications within 180 [90] days after the filing of a complete application.
10 The commission shall approve an application upon a finding that the applicant is fit,
11 willing, and able. The authority granted to a fit, willing, and able applicant shall
12 include the authority to provide intrastate long distance telephone service using any
13 facilities that the applicant owned and operated on May 1, 1990, to provide interstate
14 long distance message telephone service to the public.

15 * Sec. 70. AS 47.07.020(b) is amended by adding a new paragraph to read:

16 (11) persons under age 21 not covered under (a) of this section who the
17 department has determined cannot be placed for adoption without medical assistance
18 because of a special need for medical or rehabilitative care and who the department
19 has determined are hard-to-place children eligible for subsidy under AS 25.23.190 -
20 25.23.220.

21 * Sec. 71. AS 47.07.035 is amended by adding a new paragraph to read:

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

26 * Sec. 72. AS 13.26.410(b); AS 28.10.181(k), 28.10.421(d)(12); AS 28.22.011(a)(3); and
27 AS 37.05.210(1) are repealed.

28 * Sec. 73. IMPLEMENTATION OF BIENNIAL LICENSURE BY ALCOHOLIC
29 BEVERAGE CONTROL BOARD. (a) Approximately one-half of the applicants for renewal,
30 for 1994, of a license issued by the Alcoholic Beverage Control Board, as determined by the
31 director of the Alcoholic Beverage Control Board, shall be eligible for a one-year license.

1 These licenses expire, unless renewed, on December 31, 1994, and may be renewed biennially
2 in even-numbered years after that. The 1994 renewal fee for these licenses is one-half of the
3 biennial license fee.

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

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

14 * Sec. 74. IMPLEMENTATION OF BIENNIAL LICENSING BY THE DEPARTMENT
15 OF LABOR. Notwithstanding AS 18.62.020, as amended by sec. 48 of this Act, and to ensure
16 that approximately one-half of all certificates of fitness expire in any one fiscal year,
17 approximately one-half of the applicants for renewal certificates of fitness during the first three
18 fiscal years after the effective date of sec. 48 of this Act, as determined by the Department
19 of Labor, shall receive a one-year renewal certificate, which may be renewed biennially after
20 that. The renewal fee for a one-year certificate is \$80.

21 * Sec. 75. LEASE EXTENSIONS AUTHORIZED. (a) Notwithstanding AS 36.30, the
22 Department of Administration, the University of Alaska, the legislature, and the court system
23 may extend for up to a maximum extension of five years a real property lease that is entered
24 into under AS 36.30, including procedures and regulations adopted under AS 36.30.005(c) and
25 36.30.020 - 36.30.030, and that is in existence on the effective date of this section if a
26 minimum cost savings of

27 (1) 10 percent can be achieved on the rent due under the lease; or

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

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

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

9 * Sec. 76. TEMPORARY FEES IN STATE PARKS. (a) The following fees apply for
10 the following activities in units of the state park system until the Department of Natural
11 Resources adopts a regulation under AS 41.21.026(a), as amended by sec. 68 of this Act, that
12 establishes a fee for that activity;

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

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

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

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

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

24 * Sec. 77. TRANSITION. Notwithstanding secs. 81 - 83 of this Act, an agency of the
25 state that has regulation adoption authority or that is authorized by this Act to adopt
26 regulations, may proceed to adopt regulations necessary to implement that agency's respective
27 provisions in this Act. The regulations take effect under AS 44.62 (Administrative Procedure
28 Act), but not before the respective effective date of the relevant section or sections of this Act.

29 * Sec. 78. REVISOR'S INSTRUCTION. Wherever in AS 28 the words "plates" or
30 "registration plates" or a similar phrase occurs, the revisor of statutes shall substitute "plate"
31 or "registration plate" and make necessary related word changes when necessary to implement

- 1 the amendments to AS 28.10.161 and 28.10.171 by secs. 55 and 56 of this Act.
- 2 • Sec. 79. The amendment to AS 13.26.410(a) by sec. 33 of this Act has the effect of
- 3 amending Alaska Rule of Probate Procedure 16(d) by providing for compensation for
- 4 guardianship services without an order of the court.