

COMMITTEE REPORT
SENATE

FURTHER:

5/8/86

Date 5/11/86

Mr. President

The Committee on FINANCE considered CSHB 696(Fin)am relating to the financial administration of state government; the provision of and charges for state services; accounting for receipts of state agencies; the sale of miscellaneous state property; and the acceptance and deposit of miscellaneous receipts of state agencies; efd. and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt 5 CS for CSHB 696(Fin)am
- new title
- same title and recommends Do Pass as amended
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS

[Signature]

Chairman

do pass.

Chairman recommendation

HB 676

group health

A M E N D M E N T

Offered in the ±

By ± Senate
Finance
Committee

TO: SCS CS HB 696 (Fin.)

Page 25, line 3, insert the following:

"* Sec. 56. AS 39.30.095(c) is amended to read:

(c) The commissioner of administration or the designee of the commissioner is administrator of the fund. The commissioner may contract with an insurance carrier to reimburse the state for the cost of administering group insurance provided under AS 39.30.090 and 39.30.160.

* Sec. 57. AS 39.30 is amended by adding a new section to read:

Sec. 39.30.096. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under AS 39.30.-095(c) that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter."

certified amendment
Y1

HB 674

Deferred Com.
adopted
5/12/86
SFC
Amendment
to
SOS CS HB 696
(Finance)

Page 25, line 26: , insert the following:

"* Sec. 60. AS 39.45.020(c) is amended to read:

(c) The administrator of a deferred compensation program may contract with a private person for providing consolidated billing and other administrative services. The administrator may contract with an insurance carrier to reimburse the state or political subdivision of the state for the cost of administering the deferred compensation program.

* Sec. 61. AS 39.45 is amended by adding a new section to read:

Sec. 39.45.021. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under AS 39.45.-020(c) that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

Original sponsor: Rules/Governor

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IN THE HOUSE

BY THE FINANCE COMMITTEE

SENATE CS FOR CS FOR HOUSE BILL NO. 696 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the financial administration of state government; the provision of and charges for state services; accounting for receipts of state agencies; the sale of miscellaneous state property; and the acceptance and deposit of miscellaneous receipts of state agencies; and providing for an effective date."

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

* Section 1. AS 37.10.050(a) is repealed and reenacted to read:

(a) A state agency may not charge for the provision of state services unless the charge is authorized by statute. Unless specifically exempted by statute, a state agency authorized to collect or receive fees, licenses, taxes, or other money belonging to the state shall account for and remit the receipts, less fees to which the collector is entitled by statute or regulation, to the Department of Revenue at least once each month.

* Sec. 2. AS 02.15.130 is amended to read:

Sec. 02.15.130. ASSISTANCE TO THE FEDERAL GOVERNMENT, MUNICIPALITIES AND OTHER PERSONS. The department may make available its engineering, maintenance, and other [TECHNICAL] services, with or without charge, to the federal government, or to a [ANY] municipality or person in connection with the planning, acquisition, construction, improvement, maintenance, or operation of airports or air navigation facilities. The commissioner of administration shall separately

1 account for money that is generated by the provision of services to
2 nonstate entities under this section and that the department deposits
3 in the general fund. The annual estimated balance in the account may
4 be used by the legislature to make appropriations to the department to
5 carry out the purposes of this section.

6 * Sec. 3. AS 06.01 is amended by adding a new section to read:

7 Sec. 06.01.045. ACCOUNTING AND DISPOSITION OF FEES. The commis-
8 sioner of administration shall separately account for all fees col-
9 lected under this title that the department deposits in the general
10 fund. The annual estimated balance in the account may be used by the
11 legislature to make appropriations to the department to carry out the
12 purposes of this title.

13 * Sec. 4. AS 08.01.065 is amended by adding a new subsection to read:

14 (d) The commissioner of administration shall separately account
15 for occupational licensing fees deposited in the general fund by the
16 department. The annual estimated balance in the account may be used
17 by the legislature to make appropriations to the department to carry
18 out the activities of the division of occupational licensing.

19 * Sec. 5. AS 08.88.221 is amended to read:

20 Sec. 08.88.221. FEES. The Department of Commerce and Economic
21 Development shall set fees under AS 08.01.065 for a real estate brok-
22 er, associate broker, or salesman licensee or applicant for the fol-
23 lowing:

- 24 (1) examination;
25 (2) reciprocity;
26 (3) initial license;
27 (4) renewal of an active license;
28 (5) renewal of an inactive license;
29 (6) amending or transferring a license;

1 (7) publications offered by the commission;

2 (8) seminars offered by the commission.

3 * Sec. 6. AS 08.88.231 is amended by adding a new subsection to read:

4 (b) The commissioner of administration shall separately account
5 for all fees deposited in the general fund under (a) of this section.
6 The annual estimated balance in the account may be used by the legis-
7 lature to make appropriations to the Department of Commerce and Eco-
8 nomic Development to carry out the purposes of this chapter.

9 * Sec. 7. AS 10.05.768 is amended by adding a new subsection to read:

10 (b) The commissioner of administration shall separately account
11 for all fees collected under this chapter that the department deposits
12 in the general fund. The annual estimated balance in the account may
13 be used by the legislature to make appropriations to the department to
14 carry out the purposes of this chapter.

15 * Sec. 8. AS 10.15 is amended by adding a new section to article 7 to
16 read:

17 Sec. 10.15.563. ACCOUNTING AND DISPOSITION OF FEES. The commis-
18 sioner of administration shall separately account for all fees col-
19 lected under this chapter that the department deposits in the general
20 fund. The annual estimated balance in the account may be used by the
21 legislature to make appropriations to the department to carry out the
22 purposes of this chapter.

23 * Sec. 9. AS 10.20 is amended by adding a new section to article 8 to
24 read:

25 Sec. 10.20.643. ACCOUNTING AND DISPOSITION OF FEES. The commis-
26 sioner of administration shall separately account for all fees col-
27 lected under this chapter that the department deposits in the general
28 fund. The annual estimated balance in the account may be used by the
29 legislature to make appropriations to the department to carry out the

1 purposes of this chapter.

2 * Sec. 10. AS 10.25.530 is amended by adding a new subsection to read:

3 (c) The commissioner of administration shall separately account
4 for all fees collected under this chapter that the Department of
5 Commerce and Economic Development deposits in the general fund. The
6 annual estimated balance in the account may be used by the legislature
7 to make appropriations to the department to carry out the purposes of
8 this chapter.

9 * Sec. 11. AS 10.35 is amended by adding a new section to read:

10 Sec. 10.35.075. ACCOUNTING AND DISPOSITION OF FEES. The commis-
11 sioner of administration shall separately account for all fees col-
12 lected under this chapter that the Department of Commerce and Economic
13 Development deposits in the general fund. The annual estimated bal-
14 ance in the account may be used by the legislature to make appro-
15 priations to the department to carry out the purposes of this chapter.

16 * Sec. 12. AS 10.40.140 is amended by adding a new subsection to read:

17 (c) The commissioner of administration shall separately account
18 for all fees and penalties collected under this chapter that the
19 Department of Commerce and Economic Development deposits in the gener-
20 al fund. The annual estimated balance in the account may be used by
21 the legislature to make appropriations to the department to carry out
22 the purposes of this chapter.

23 * Sec. 13. AS 12.55.100(a) is amended to read:

24 (a) While on probation and among the conditions of probation,
25 the defendant may be required

26 (1) to pay a fine in one or several sums;

27 (2) to make restitution or reparation to aggrieved parties
28 for actual damages or loss caused by the crime for which conviction
29 was had;

1 (3) to provide for the support of any persons for whose
2 support the defendant is legally responsible; [AND]

3 (4) to perform community work in accordance with AS 12.55.-
4 055; and

5 (5) to pay a periodic probation fee as provided in AS 12.-
6 55.105.

7 * Sec. 14. AS 12.55 is amended by adding a new section to read:

8 Sec. 12.55.105. PROBATION FEE. (a) A court granting probation
9 shall require a periodic probation fee to be paid to the Department of
10 Corrections as a condition of probation. The fee amount shall be
11 established by regulation adopted by the commissioner of corrections.

12 (b) A probationer may choose to make the probation fee payments
13 by assignment of the probationer's permanent fund dividend received
14 under AS 43.23.005. The Department of Corrections shall provide a
15 form to the probationer to indicate this preference to the Department
16 of Revenue.

17 (c) The commissioner of corrections may attach the permanent
18 fund dividend of a probationer that is in arrears on the probation
19 fee.

20 (d) Money collected under this section shall be deposited in the
21 general fund. The commissioner of administration shall separately
22 account for money that the Department of Corrections deposits in the
23 general fund under this subsection. The annual estimated balance in
24 the account may be used by the legislature to make appropriations to
25 the department to carry out the purposes of AS 33.05.

26 * Sec. 15. AS 14.07.030 is amended to read:

27 Sec. 14.07.030. POWERS OF THE DEPARTMENT. The department may

28 (1) establish, maintain, govern, operate, discontinue, and
29 combine area, regional, and special schools;

1 (2) [REPEALED

2 (3) REPEALED

3 (4) REPEALED

4 (5)] enter into contractual agreements with the Bureau of
5 Indian Affairs or with a school district to share boarding costs of
6 secondary school students;

7 (3) [(6)] provide for citizenship night schools when and
8 where expedient;

9 (4) [(7)] provide for the sale or other disposition of
10 abandoned or obsolete buildings and other state-owned school property;

11 (5) [(8)] prescribe a classification for items of expense
12 of school districts;

13 (6) [(9)] acquire and transfer personal property, acquire
14 real property, and transfer real property to federal agencies, state
15 agencies, or to political subdivisions;

16 (7) [(10)] enter into contractual agreements with school
17 districts to provide more efficient or economical education services;
18 reasonable fees may be charged by the department to cover the costs of
19 providing services under an agreement, including costs for profes-
20 sional services, reproduction or printing, and mailing and distribu-
21 tion of educational materials;

22 (8) [(11)] provide for the issuance of elementary and
23 secondary diplomas to persons not in school who have completed the
24 equivalent of an 8th or 12th [EIGHTH OR TWELFTH] grade education,
25 respectively, in accordance with standards established by the depart-
26 ment;

27 (9) [(12)] exercise disapproval power under AS 14.08.101;

28 (10) apply for, accept, and spend endowments, grants, and
29 other private money available to the state for educational purposes in

1 accordance with AS 37.07 (the Executive Budget Act);

2 (11) set student tuition and fees for educational programs
3 provided and schools operated by the department under the provisions
4 of AS 14.07.020(12) and (1) of this section;

5 (12) charge fees to cover the costs of care and handling
6 with respect to the acquisition, warehousing, distribution, or trans-
7 fer of donated foods.

8 * Sec. 16. AS 14.07 is amended by adding a new section to read:

9 Sec. 14.07.035. ACCOUNTING AND DISPOSITION OF RECEIPTS. (a)

10 The commissioner of administration shall separately account for educa-
11 tional service fees collected under AS 14.07.030(7) that the depart-
12 ment deposits in the general fund. The annual estimated balance in
13 the account may be used by the legislature to make appropriations to
14 the department to carry out the purposes of AS 14.07.030.

15 (b) The commissioner of administration shall separately account
16 for each endowment, grant, or other money from a private donor re-
17 ceived under AS 14.07.030(10) that the department deposits in the
18 general fund. The annual estimated balance in the account may be used
19 by the legislature to make appropriations to the department to carry
20 out the educational purposes intended by the endowment, grant, or
21 gift.

22 (c) The commissioner of administration shall separately account
23 for student tuition and fees collected under AS 14.07.030(11) that the
24 department deposits in the general fund. The annual estimated balance
25 in the account may be used by the legislature to make appropriations
26 to the department to administer, maintain, and operate programs and
27 schools under AS 14.07.020(12) and 14.07.030(1).

28 (d) The commissioner of administration shall separately account
29 for fees collected under AS 14.07.030(12) that the department deposits

1 in the general fund. The annual estimated balance in the account may
2 be used by the legislature to make appropriations to the department to
3 carry out the programs for which the fees are collected.

4 (e) The commissioner of administration shall separately account
5 for money that derives from department auxiliary services, including
6 student services centers, student activities, and events administered
7 or operated by the department and that the department deposits in the
8 general fund. The annual estimated balance in the account may be used
9 by the legislature to make appropriations to the department to carry
10 out the purposes of AS 14.07.030.

11 * Sec. 17. AS 14.07.059(a) is amended to read:

12 (a) The Alaska school activities fund is established in the
13 general fund under the administration of [WITHIN] the Department of
14 Education.

15 * Sec. 18. AS 14.07.059 is amended by adding a new subsection to read:

16 (d) The department shall deposit in the Alaska school activities
17 fund all fees, including membership fees and activity and events fees
18 collected by the Alaska School Activities Association. The commis-
19 sioner of administration shall separately account for the deposits
20 into the fund. The annual estimated balance in the fund may be used
21 by the legislature to make appropriations to the department to carry
22 out the purposes of this section.

23 * Sec. 19. AS 14.20.020(c) is amended to read:

24 (c) The board may establish by regulation additional require-
25 ments for the issuance of certificates, including the fees to be
26 charged for each certificate.

27 * Sec. 20. AS 14.20.020 is amended by adding a new subsection to read:

28 (e) The commissioner of administration shall separately account
29 for teacher certification fees that the department deposits in the

1 general fund. The annual estimated balance in the account may be used
2 by the legislature to make appropriations to the department to carry
3 out the purposes of this section and to support the activities of the
4 Professional Teaching Practices Commission under AS 14.20.460, 14.-
5 20.470, and 14.20.500.

6 * Sec. 21. AS 14.25.180(a) is amended to read:

7 (a) The commissioner of revenue is the treasurer of the system
8 and has powers and duties for this purpose including but not limited
9 to the following:

10 (1) to act as official custodian of the cash and securities
11 belonging to the system and provide adequate safe deposit facilities
12 for them;

13 (2) to receive all items of cash belonging to the system;

14 (3) to collect the interest and principal on securities
15 acquired by the system and deposit the interest and principal in the
16 retirement fund;

17 (4) to invest and reinvest the assets of the retirement
18 fund in accordance with this section;

19 (5) to receive and spend appropriations from the retirement
20 fund to cover the cost of fiduciary duties under this section.

21 * Sec. 22. AS 14.40.210 is amended by adding a new subsection to read:

22 (b) The president of the University of Alaska shall separately
23 account for university receipts deposited in the treasury of the uni-
24 versity. The annual estimated balance in the account may be used by
25 the legislature to make appropriations to the university to carry out
26 the purposes of this chapter.

27 * Sec. 23. AS 14.40 is amended by adding a new section to article 3 to
28 read:

29 Sec. 14.40.490. DEFINITION OF UNIVERSITY RECEIPTS. In

1 AS 14.40.120 - 14.40.490, "university receipts" includes

- 2 (1) student fees, including tuition;
- 3 (2) receipts from university auxiliary services;
- 4 (3) recovery of indirect costs of university activities;
- 5 (4) receipts from sales and rentals of university property;
- 6 (5) federal receipts;
- 7 (6) gifts, grants, and contracts; and
- 8 (7) receipts from sales, rentals, and the provision of
- 9 services of educational activities.

10 * Sec. 24. AS 14.48.090(b) is amended to read:

11 (b) Fees collected under this chapter shall be deposited in the
12 general fund. The commissioner of administration shall separately
13 account for all fees that are collected and deposited under this
14 section. The annual estimated balance in the account may be used by
15 the legislature to make appropriations to the commission to carry out
16 the purposes of this chapter.

17 * Sec. 25. AS 14.56.030 is amended to read:

18 Sec. 14.56.030. STATE LIBRARY DUTIES. The department shall
19 undertake state library functions that [WHICH] will benefit the state
20 and its citizens, including:

21 (1) coordinating [COORDINATE] library services of the state
22 with other educational services and agencies to increase effectiveness
23 and eliminate duplication;

24 (2) providing [PROVIDE] reference library service to state
25 and other public officials;

26 (3) providing [PROVIDE] library services and administering
27 [ADMINISTER] state and other grants-in-aid to public libraries to
28 supplement and improve their services, the grants to be paid from
29 funds appropriated for that purpose, or from other funds available for

1 that purpose;

2 (4) providing [PROVIDE] library service directly to areas
3 in which there is not sufficient population or local revenue to sup-
4 port independent library units;

5 (5) distributing [DISTRIBUTE] financial aid to public
6 libraries for extension of library service to surrounding areas and to
7 improve inadequate local library service under regulations adopted
8 [PROMULGATED] by the department;

9 (6) offering [OFFER] consultant service on library matters
10 to state and municipal libraries, community libraries, school li-
11 braries, and libraries in unincorporated communities;

12 (7) serving [SERVE] as a depository for state and federal
13 publications concerning Alaska;

14 (8) applying for, receiving, and spending, in accordance
15 with AS 37.07 (the Executive Budget Act), [APPLY FOR, RECEIVE, AND
16 SPEND] federal, state, or private funds available for library pur-
17 poses;

18 (9) recording and distributing [RECORD AND DISTRIBUTE] the
19 election pamphlet provided for by AS 15.58 to libraries throughout the
20 state for use by blind voters;

21 (10) establishing and charging fees for reproduction or
22 printing costs and for mailing and distributing state publications and
23 research data.

24 * Sec. 26. AS 14.56 is amended by adding a new section to read:

25 Sec. 14.56.035. ACCOUNTING AND DISPOSITION OF FEES. The commis-
26 sioner of administration shall separately account for publication and
27 distribution fees received under AS 14.56.030(10) and that the depart-
28 ment deposits in the general fund. The annual estimated balance in
29 the account may be used by the legislature to make appropriations to

1 the department to carry out the purposes of AS 14.56.030.

2 * Sec. 27. AS 14.57.010(b) is amended to read:

3 (b) The department shall

4 (1) acquire artifacts, natural history specimens, art
5 objects, etc., that pertain to the human and natural history of Alaska
6 by purchase and by gift;

7 (2) identify, catalog, preserve, and display these acquisi-
8 tions;

9 (3) acquire and catalog Alaskan photographs and maintain a
10 card catalog of this collection;

11 (4) accept endowments, grants, and gifts in accordance with
12 AS 37.07 (the Executive Budget Act) [ESTABLISHED STATE POLICY];

13 (5) collect and maintain books, periodicals, pamphlets, and
14 other materials pertinent to museum administration, techniques and
15 collections;

16 (6) assist and advise in the development of local museums;

17 (7) collect and keep current information concerning museum
18 activities throughout the state;

19 (8) coordinate the museum activities of the state with
20 those of other agencies;

21 (9) keep the museum open at reasonable hours for the conve-
22 nience of visitors;

23 (10) provide museum services and administer state and other
24 grants-in-aid to museums in the state to supplement and improve their
25 services, the grants to be paid from money [FUNDS] appropriated for
26 that purpose, or from other money [FUNDS] available for that purpose.

27 * Sec. 28. AS 14.57 is amended by adding a new section to read:

28 Sec. 14.57.015. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
29 commissioner of administration shall separately account for each

1 endowment or grant from a private donor received under AS 14.57.-
2 010(b)(4) and deposited by the department in the general fund. The
3 annual estimated balance in the account may be used by the legislature
4 to make appropriations to the department to carry out the purposes of
5 AS 14.57.010.

6 * Sec. 29. AS 16.05.050 is amended to read:

7 Sec. 16.05.050. POWERS AND DUTIES OF COMMISSIONER. The commis-
8 sioner has, but not by way of limitation, the following powers and
9 duties:

10 (1) to assist the United States Fish and Wildlife Service
11 in the enforcement of federal laws and regulations pertaining to fish
12 and game;

13 (2) through the appropriate state agency, to acquire by
14 gift, purchase, or lease, or other lawful means, land, buildings,
15 water, rights-of-way, or other necessary or proper real or personal
16 property when the acquisition is in the interest of furthering an
17 objective or purpose of the department and the state;

18 (3) to design and construct hatcheries, pipelines, rearing
19 ponds, fishways, and other projects beneficial for the fish and game
20 resources of the state;

21 (4) to accept money from any person under conditions re-
22 quiring the use of the money for specific purposes in the furtherance
23 of the protection, rehabilitation, propagation, preservation, or
24 investigation of the fish and game resources of the state or in set-
25 tlement of claims for damages to fish or game resources;

26 (5) to collect, classify, and disseminate statistics, data
27 and information that, in the commissioner's discretion, will tend to
28 promote the purposes of this title except AS 16.51 and AS 16.52;

29 (6) to capture, propagate, transport, buy, sell, or

1 exchange fish or game or eggs for propagating, scientific or stocking
2 purposes;

3 (7) to provide public facilities where necessary or proper
4 to facilitate the taking of fish or game, and to enter into coopera-
5 tive agreements with any person to effect them;

6 (8) to exercise administrative, budgeting, and fiscal
7 powers;

8 (9) to construct, operate, supervise, and maintain vessels
9 used by the Department of Fish and Game;

10 (10) to authorize the holder of an interim-use permit under
11 AS 16.43 to engage on an experimental basis in commercial taking of a
12 fishery resource with vessel, gear, and techniques not presently
13 qualifying for licensing under this chapter in conformity with stan-
14 dards established by the Alaska Commercial Fisheries Entry Commission;

15 (11) not later than January 31 of each year, to provide to
16 the commissioner of revenue the names of those fish and shellfish
17 species that [WHICH] the commissioner of fish and game designates as
18 developing commercial fish species for that calendar year; a fish or
19 shellfish species is a developing commercial fish species if, within a
20 specified geographical region,

21 (A) the optimum yield from the harvest of the species
22 has not been reached;

23 (B) a substantial portion of the allowable harvest of
24 the species has been allocated to fishing vessels of a foreign
25 nation; or

26 (C) a commercial harvest of the fish species has
27 recently developed;

28 (12) to initiate or conduct research necessary or advisable
29 to carry out the purposes of this title except AS 16.51 and AS 16.52;

1 (13) to enter into cooperative agreements with agencies of
2 the federal government, educational institutions, or other agencies or
3 organizations, when in the public interest, to carry out the purposes
4 of this title except AS 16.51 and AS 16.52;

5 (14) to sell fish caught during commercial fisheries test
6 fishing operations;

7 (15) to establish and charge fees equal to the cost of
8 services provided by the department, including provision of public
9 shooting ranges, broodstock and eggs for private nonprofit hatcheries,
10 department publications, and other direct services.

11 * Sec. 30. AS 16.05 is amended by adding a new section to read:

12 Sec. 16.05.055. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
13 commissioner of administration shall separately account for money
14 collected under AS 16.05.050(4), (14), and (15) and that the depart-
15 ment deposits in the general fund. The annual estimated balance in
16 each account may be used by the legislature to make appropriations to
17 the department to carry out the activities for which fees have been
18 charged or for which the money was collected.

19 * Sec. 31. AS 16.05.826 is amended by adding a new subsection to read:

20 (d) The commissioner of administration shall separately account
21 for receipts from waterfowl conservation limited edition prints that
22 the department deposits in the general fund. The annual estimated
23 balance in the account may be used by the legislature to make appro-
24 priations to the department to carry out the purposes set out in
25 AS 16.05.130(b).

26 * Sec. 32. AS 16.43 is amended by adding a new section to read:

27 Sec. 16.43.105. ACCOUNTING AND DISPOSITION OF FEES. The commis-
28 sioner of administration shall separately account for fees collected
29 under AS 16.43.100, 16.43.160, and 16.43.960 that the commission

1 deposits in the general fund. The annual estimated balance in the
2 account may be used by the legislature to make appropriations to the
3 commission to carry out the activities for which fees have been char-
4 ged.

5 * Sec. 33. AS 16.51.160(b) is amended to read:

6 (b) The seafood marketing assessment collected under this chap-
7 ter shall be deposited by the Department of Revenue in the general
8 fund and the commissioner of administration shall separately account
9 for the deposits. The legislature may make appropriations to the
10 Department of Commerce and Economic Development for the purpose of
11 providing financing to the institute based on the annual estimated
12 balance in the account [COLLECTIONS OF THE SEAFOOD MARKETING ASSESS-
13 MENT], and may appropriate additional money beyond the seafood market-
14 ing assessment as need is demonstrated by the institute.

15 * Sec. 34. AS 17.30.100 is amended by adding a new subsection to read:

16 (c) The Department of Public Safety, in cooperation with other
17 state and federal agencies, and in accordance with AS 37.07 (the
18 Executive Budget Act), may apply for and accept money necessary to
19 exchange information concerning narcotics trafficking between the
20 states. The commissioner of administration shall separately account
21 for money received under this subsection that the Department of Public
22 Safety deposits in the general fund. The annual estimated balance in
23 the account may be used by the legislature to make appropriations to
24 the department to carry out the purposes of this section.

25 * Sec. 35. AS 18.50.330(b) is amended to read:

26 (b) The state registrar shall account for fees received by the
27 bureau under this section and shall pay them to the Department of
28 Revenue. The Department of Revenue shall deposit them in the general
29 fund. The commissioner of administration shall separately account for

1 the fees deposited in the general fund. The annual estimated balance
2 in the account may be used by the legislature to make appropriations
3 to the Department of Health and Social Services to carry out the
4 purposes of this section.

5 * Sec. 36. AS 18.60 is amended by adding a new section to read:

6 ARTICLE 14. MISCELLANEOUS PROVISIONS.

7 Sec. 18.60.950. ACCOUNTING AND DISPOSITION OF FEES. The commis-
8 sioner of administration shall separately account for fees collected
9 by the Department of Labor under this chapter and deposited in the
10 general fund. The annual estimated balance in the account may be used
11 by the legislature to make appropriations to the Department of Labor
12 to carry out the purposes of this chapter.

13 * Sec. 37. AS 18.62.030 is amended to read:

14 Sec. 18.62.030. FEE. When submitting an application, an appli-
15 cant shall pay a fee of \$40 for a certificate valid for one year or
16 \$75 for a certificate valid for three years. The commissioner of
17 administration shall separately account for certificate of fitness
18 fees that the Department of Labor deposits in the general fund. The
19 annual estimated balance in the account may be used by the legislature
20 to make appropriations to the department to carry out the purposes of
21 this chapter.

22 * Sec. 38. AS 18.70.080 is amended by adding a new subsection to read:

23 (b) The commissioner of public safety may establish by regu-
24 lation and the department may charge reasonable fees for fire and life
25 safety plan checks made to determine compliance with regulations
26 adopted under (a)(2) of this section. The commissioner of adminis-
27 tration shall separately account for fees collected under this sub-
28 section that the Department of Public Safety deposits in the general
29 fund. The annual estimated balance in the account may be used by the

1 legislature to make appropriations to the department to carry out the
2 purposes of this chapter.

3 * Sec. 39. AS 19.05 is amended by adding a new section to read:

4 *
5 Sec. 19.05.046. ACCOUNTING AND DISPOSITION OF RECEIPTS FROM
6 NONSTATE ENTITIES. The commissioner of administration shall separ-
7 ately account for money that is derived from maintenance services
8 provided to nonstate entities and that the department deposits in the
9 general fund. The annual estimated balance in the account may be used
10 by the legislature to make appropriations to the department to carry
11 out the purposes of this chapter.

12 * Sec. 40. AS 19.25 is amended by adding a new section to article 2 to
13 read:

14 Sec. 19.25.040. DAMAGES TO STATE HIGHWAYS AND ROADS. The com-
15 missioner of administration shall separately account for money depos-
16 ited in the general fund that is derived from damages that are re-
17 covered from vehicle owners, drivers, or insurance companies for
18 damage to property related to state-owned roads and highways, includ-
19 ing bridges, overpasses, signal poles, street lights and poles, traf-
20 fic signals, guardrails, or fences. The annual estimated balance in
21 the account may be used by the legislature to make appropriations to
22 the department for the purpose of repairing the damage.

23 * Sec. 41. AS 19.25.200 is amended to read:

24 Sec. 19.25.200. ENCROACHMENT PERMITS. An encroachment may be
25 constructed, placed, changed or maintained across or along a highway
26 but only in accordance with regulations adopted by the department. An
27 [NO] encroachment may not be constructed, placed, maintained or chan-
28 ged until it is duly authorized by a written permit issued by the
29 department. The department may charge a fee for a permit issued under
this section. The commissioner of administration shall separately

1 account for encroachment permit fees that the department deposits in
2 the general fund. The annual estimated balance in the account may be
3 used by the legislature to make appropriations to the department to
4 carry out the purposes of this section.

5 * Sec. 42. AS 21.06 is amended by adding a new section to read:

6 Sec. 21.06.260. ACCOUNTING AND DISPOSITION OF FEES. The commis-
7 sioner of administration shall separately account for fees collected
8 under this chapter that the division deposits in the general fund.
9 The annual estimated balance in the account may be used by the legis-
10 lature to make appropriations to the Department of Commerce and Eco-
11 nomic Development to carry out the operations of the division.

12 * Sec. 43. AS 23.05.060 is amended to read:

13 Sec. 23.05.060. POWERS OF THE DEPARTMENT. The department may

14 (1) enforce all state labor laws;

15 (2) act as mediator and appoint deputy commissioners of
16 conciliation in labor disputes whenever it considers the interest of
17 industrial peace requires it;

18 (3) make investigations, collect and compile statistical
19 information concerning the conditions of labor generally and upon all
20 matters relating to the enforcement of this chapter;

21 (4) institute court proceedings against an employer of
22 labor without cost to the employee when it is satisfied that the
23 employer has failed to pay an employee an amount due by contract;

24 (5) issue cease and desist orders and other orders and
25 regulations necessary for the enforcement of state labor laws;

26 (6) in accordance with AS 37.07 (the Executive Budget Act),
27 receive and spend money derived from agreements with local govern-
28 ments, nongovernmental organizations, or other persons.

29 * Sec. 44. AS 23.05 is amended by adding a new section to read:

1 Sec. 23.05.070. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
2 commissioner of administration shall separately account for money
3 received under AS 23.05.060(6) that the department deposits in the
4 general fund. The annual estimated balance in the account may be used
5 by the legislature to make appropriations to the department to carry
6 out the purposes of AS 23.05.060.

7 * Sec. 45. AS 23.15.130(c) is repealed and reenacted to read:

8 (c) The commissioner of administration shall separately account
9 for receipts under (b) of this section that are paid into the voca-
10 tional rehabilitation small business enterprise revolving fund. The
11 annual estimated receipts of the fund may be used by the legislature
12 to make appropriations to the department to aid licensees in operating
13 vending machine facilities.

14 * Sec. 46. AS 26.05.230(b) is amended to read:

15 (b) The armory of each battalion, company, or other unit is sub-
16 ject to the order of the adjutant general and under the charge of its
17 armory board, which shall keep in the armory all property furnished by
18 the state. Except for scout battalions organized under special au-
19 thority of the Secretary of the Army, a [NO] unit may not be furnished
20 with arms or equipment until a suitable armory is provided for their
21 deposit. Subject to regulations adopted by the adjutant general, an
22 armory may be used for any reasonable and legitimate civilian activity
23 so long as the activity does not interfere with its use for military
24 purposes. Proceeds received as rental or otherwise at an armory from
25 nonmilitary use shall be deposited in the [STATE] general fund. The
26 commissioner of administration shall separately account for facilities
27 rental fees that are deposited in the general fund under this subsec-
28 tion. The annual estimated balance in the account may be used by the
29 legislature to make appropriations to the Department of Military and

1 Veterans' Affairs to carry out the purposes of this section.

2 * Sec. 47. AS 28.05.021 is amended by adding a new subsection to read:

3 (b) The commissioner of administration shall separately account
4 for money that is derived from activities authorized under this sec-
5 tion and that the department deposits in the general fund. The annual
6 estimated balance in the account may be used by the legislature to
7 make appropriations to the department to carry out the purposes of
8 this section, including payment to commissioned agents.

9 * Sec. 48. AS 28.10.431 is amended by adding a new subsection to read:

10 (i) The commissioner of administration shall separately account
11 for the collection costs received under (e) of this section that the
12 department deposits in the general fund. The annual estimated balance
13 in the account may be used by the legislature to make appropriations
14 to the department to carry out the purposes of this section.

15 * Sec. 49. AS 33.30.070 is amended to read:

16 Sec. 33.30.070. FURNISHING [COMMISSIONER MAY CONTRACT TO FUR-
17 NISH] FACILITIES TO UNITED STATES OR A POLITICAL SUBDIVISION OF THIS
18 STATE. The commissioner may contract with the proper authorities of
19 the United States or a political subdivision of this state to provide
20 the services of state prison facilities for the safekeeping, care, and
21 subsistence of persons held under the authority of the law of the
22 [THEIR] respective jurisdiction [JURISDICTIONS]. The commissioner of
23 administration shall separately account for payments received for the
24 services provided under this section that the department deposits in
25 the general fund. The annual estimated balance in the account may be
26 used by the legislature to make appropriations to the department to
27 carry out the purposes of this section.

28 * Sec. 50. AS 33.32.020(a) is amended to read:

29 (a) There is established in the Department of Corrections an

1 intragovernmental service [A] fund [TO BE] known as the correctional
2 industries fund. All expenses of the correctional industries program,
3 except salaries and benefits of state employees, may [ARE TO] be fi-
4 nanced from the correctional industries fund [AND BUDGETED] in accord-
5 ance with AS 37.07 (the Executive Budget Act) [(AS 37.07)]. The
6 commissioner of corrections shall report annually to the legislature
7 all activities and balances of the fund.

8 * Sec. 51. AS 33.32.020(b) is amended to read:

9 (b) The legislature may appropriate to the correctional indus-
10 tries fund the [ANY] amounts necessary to implement this chapter.
11 Money [, WHICH MAY EQUAL OR EXCEED THE AMOUNTS] received by the state
12 for services rendered or products sold by the correctional industries
13 program shall be deposited in the correctional industries fund. The
14 annual estimated balance in the fund may be used by the legislature to
15 make appropriations to the Department of Corrections to carry out the
16 purposes of this section.

17 * Sec. 52. AS 34.55.020 is amended by adding a new subsection to read:

18 (g) The commissioner of administration shall separately account
19 for filing, registration, and inspection fees collected under this
20 chapter that the department deposits in the general fund. The annual
21 estimated balance in the account may be used by the legislature to
22 make appropriations to the department to carry out the purposes of
23 this section.

24 * Sec. 53. AS 37.12.023 is amended to read:

25 Sec. 37.12.023. DEPOSIT OF MONEY. Repayments of principal and
26 payments of interest and other income from loans of the corporation,
27 dividends received from capital stock investments, and money received
28 from the sale of equity investments or other assets of the corporation
29 shall [MUST] be deposited in the general fund. The commissioner of

1 administration shall separately account for money collected under this
2 section that is deposited by the corporation or the Department of
3 Revenue. The annual estimated balance in the account may be used by
4 the legislature to make appropriations to the department to administer
5 the winding-up of the corporation.

6 * Sec. 54. AS 37.15.420(a) is amended to read:

7 (a) There is established a capital project fund [A SPECIAL FUND
8 OF THE STATE] known as the "International Airports Construction Fund,"
9 into which shall be paid the proceeds of the sale of the bonds (except
10 any accrued interest paid on them, which shall be paid into the bond
11 redemption fund) and [ANY] grant or other money that [WHICH] is legal-
12 ly provided for the same purposes for which the bonds are authorized.
13 The money in the construction fund shall be used to pay the costs of
14 acquiring, equipping, constructing and installing additions and im-
15 provements to and extensions of and facilities for the airports and
16 costs incidental thereto, including costs of the authorization, issu-
17 ance and sale of the bonds. To the extent provided in the bond reso-
18 lution, money in the construction fund may also be used for the pay-
19 ment of interest on the bonds during the period of actual construc-
20 tion, and for a [SUCH] further period, not exceeding one year after
21 the period of construction, that [AS] may be provided in the bond
22 resolution. Money in the construction fund may also be transferred to
23 the bond redemption fund, to the extent provided in the bond resolu-
24 tion, to establish a reserve for the payment of the principal of and
25 interest on the bonds.

26 * Sec. 55. AS 37.15.430(a) is amended to read:

27 (a) There is established an enterprise fund [ANOTHER SPECIAL
28 FUND OF THE STATE,] known as the "International Airports Revenue
29 Fund," [WHICH SHALL BE COMPLETELY SEGREGATED AND SET APART FROM ALL

1 OTHER FUNDS OF THE STATE, WHICH IS A TRUST FUND FOR THE USES AND PUR-
2 POSES PROVIDED IN AS 37.15.410 - 37.15.550, AND] into which shall be
3 paid all revenue [REVENUES], fees, charges, and rentals derived by the
4 state from the ownership, lease, use, and operation of the airports
5 and all of the facilities and improvements of them and facilities and
6 improvements used in connection with them. The revenue [THESE REVE-
7 NUES], charges, fees, and rentals may [SHALL] not include the proceeds
8 of any state tax or license. The money in the revenue fund may
9 [SHALL] only be used for the purpose of

10 (1) paying or securing the payment of the principal of and
11 interest on the bonds and of and on any other revenue bonds issued by
12 authorization of the legislature to provide money [FUNDS] to acquire,
13 equip, construct, and install additions and improvements to, and
14 extensions of and facilities for, the airports, and to be payable out
15 of the revenue fund;

16 (2) [, THE PURPOSE OF] paying the normal and necessary
17 costs of maintaining and operating the airports and all of the im-
18 provements and facilities of them;

19 (3) [, THE PURPOSE OF] paying the costs of renewals, re-
20 placements, and extraordinary repairs to the airports and all of the
21 improvements and facilities of them;

22 (4) [, THE PURPOSE OF] redeeming before their fixed matur-
23 ities any and all revenue bonds issued for the purposes of the air-
24 ports;

25 (5) [, THE PURPOSE OF] providing money [FUNDS] to acquire,
26 construct and install necessary additions and improvements to and
27 extensions of and facilities for the airports and all of their facil-
28 ities; [,] and

29 (6) [THE PURPOSE OF] providing money [FUNDS] to pay any and

1 all other costs relating to the ownership, use, and operation of the
2 airports.

3 * Sec. ⁵⁸56. AS 38.35.140(b) is amended to read:

4 (b) The lessee shall reimburse the state for all reasonable
5 costs incurred in processing an application filed under AS 38.35.050
6 and in monitoring the construction of the pipeline on the right-of-
7 way. The commissioner of administration shall separately account for
8 money received under this subsection that the Department of Natural
9 Resources deposits in the general fund. The annual estimated balance
10 in the account may be used by the legislature to make appropriations
11 to the department to carry out the purposes of this section.

12 * Sec. ⁵⁷57. AS 39.35.080 is amended to read:

13 Sec. 39.35.080. DUTIES OF COMMISSIONER OF REVENUE. The commis-
14 sioner of revenue is the treasurer of the system and shall

15 (1) act as official custodian of the cash and securities
16 belonging to the system and provide adequate safe deposit facilities
17 for them;

18 (2) receive cash belonging to the system;

19 (3) collect the interest and principal on securities ac-
20 quired by the system and deposit it in the pension fund maintained in
21 the name of the system;

22 (4) invest and reinvest the assets of the pension fund in
23 accordance with AS 39.35.110; and

24 (5) receive and spend appropriations from the retirement
25 fund to cover the cost of fiduciary duties.

26 * Sec. ⁵⁸58. AS 41.08 is amended by adding a new section to read:

27 Sec. 41.08.025. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
28 commissioner of administration shall separately account for money
29 received under AS 41.08.020(b)(5) from agreements with individuals,

1 private agencies, communities and private industry and that the De-
2 partment of Natural Resources deposits in the general fund. The
3 annual estimated balance in the account may be used by the legislature
4 to make appropriations to the department to carry out the purposes of
5 AS 41.08.020.

6 * Sec. 59. AS 42.05.651 is amended by adding a new subsection to read:

7 (b) The commissioner of administration shall separately account
8 for investigation and hearing costs collected under this section that
9 the commission deposits in the general fund. The annual estimated
10 balance in the account may be used by the legislature to make appro-
11 priations to the commission to carry out the purposes of this section.

12 * Sec. 60. AS 42.06.610 is amended by adding a new subsection to read:

13 (c) The commissioner of administration shall separately account
14 for investigation and hearing costs collected under this section that
15 the commission deposits in the general fund. The annual estimated
16 balance in the account may be used by the legislature to make appro-
17 priations to the commission to carry out the purposes of this chapter.

18 * Sec. 61. AS 42.30.225 is amended by adding a new subsection to read:

19 (f) The commissioner of administration shall separately account
20 for certificate of compliance fees collected under this section that
21 the department deposits in the general fund. The annual estimated
22 balance in the account may be used by the legislature to make appro-
23 priations to the department to carry out the purposes of this section.

24 * Sec. 62. AS 43.10 is amended by adding a new section to read:

25 Sec. 43.10.037. ACCOUNTING AND DISPOSITION OF FEES. The commis-
26 sioner of administration shall separately account for collection fees
27 added to delinquent taxes and that the department deposits in the
28 general fund. The annual estimated balance in the account may be used
29 by the legislature to make appropriations to the department to carry

1 out the purposes of this chapter.

2 * Sec. 63. AS 43.23.065 is repealed and reenacted to read:

3 Sec. 43.23.065. EXEMPTION OF PERMANENT FUND DIVIDENDS. (a)
4 Except as provided in (b) of this section, 50 percent of the annual
5 permanent fund dividend payable to an individual is exempt from levy,
6 execution, garnishment, attachment, or any other remedy for the col-
7 lection of debt. This exemption applies to an eligible individual's
8 permanent fund dividend both before and after payment is made to the
9 individual.

10 (b) An exemption is not available under this section for perma-
11 nent fund dividends taken to satisfy

12 (1) child support obligations required by court order or
13 decision of the child support enforcement agency under AS 47.23.140 -
14 47.23.220;

15 (2) court ordered restitution under AS 12.55.045 - 12.55.-
16 051 or 12.55.100;

17 (3) a court ordered probation fee under AS 12.55.105; or

18 (4) a debt owed by an eligible individual to an agency of
19 the state, unless the debt is contested and an appeal is pending, or
20 the time limit for filing an appeal has not expired.

21 (c) Claims listed in (b) of this section have priority in the
22 order listed over other claims on a permanent fund dividend.

23 * Sec. 64. AS 44.21.160 is amended by adding a new subsection to read:

24 (g) The commissioner of administration shall separately account
25 for data processing services fees charged to political subdivisions
26 and deposited in the general fund. The annual estimated balance in
27 the account may be used by the legislature to make appropriations to
28 the department to carry out the purposes of this section.

29 * Sec. 65. AS 44.29 is amended by adding new sections to article 1 to

1 read:

2 Sec. 44.29.022. FEES FOR DEPARTMENT SERVICES. (a) The commis-
3 sioner of health and social services may establish by regulation a
4 schedule of reasonable fees for services provided by the Department of
5 Health and Social Services under AS 44.29.010(1) - (9), AS 47.10,
6 AS 47.30.655 - 47.30.910, and AS 47.80.100 - 47.80.170. The fee
7 established for a service may not exceed the actual cost of providing
8 the service. The commissioner may define or establish the "actual
9 cost of providing a service" by regulation. The Department of Health
10 and Social Services shall charge and collect the fees established
11 under this subsection. The department may waive collection of a fee
12 upon a finding that collection is not economically feasible or in the
13 public interest.

14 (b) The commissioner of health and social services may establish
15 by regulation and the department may charge reasonable fees for de-
16 partment publications and research data to cover the cost of reproduc-
17 tion, printing, mailing, and distribution.

18 (c) The commissioner of administration shall separately account
19 for fees collected under this section that the Department of Health
20 and Social Services deposits in the general fund. The annual esti-
21 mated balance in the account may be used by the legislature to make
22 appropriations to the department.

23 Sec. 44.29.024. FEES FOR SERVICES OF CONTRACTORS OR GRANTEES.

24 (a) The commissioner of health and social services may establish by
25 regulation a schedule of reasonable fees for services provided by a
26 contractor or grantee of the Department of Health and Social Services
27 under AS 18 or AS 47. The fee established for a service may not
28 exceed the actual cost of providing the service. The commissioner may
29 define or establish the "actual cost of providing a service" by

1 regulation.

2 (b) The Department of Health and Social Services may require the
3 recipient of a grant or a contractor under a grant to charge the fees
4 established under (a) of this section for services provided by the
5 recipient or contractor and to use the fees collected for the program
6 providing the services.

7 * Sec. 66. AS 44.33.020 is amended by adding new paragraphs to read:

8 (28) sell at cost, to the extent possible, publications and
9 promotional materials developed by the department;

10 (29) as delegated by the governor, administer under 16
11 U.S.C. 1856 the internal waters foreign processing permit procedures
12 and collect related fees.

13 * Sec. 67. AS 44.33 is amended by adding a new section to read:

14 Sec. 44.33.022. ACCOUNTING AND DISPOSITION OF FEES. The commis-
15 sioner of administration shall separately account for fees collected
16 under AS 44.33.020(25), (28) and (29), respectively, that the Depart-
17 ment of Commerce and Economic Development deposits in the general
18 fund. The annual estimated balance in each account may be used by the
19 legislature to make appropriations to the department to finance the
20 programs from which the receipts are derived.

21 * Sec. 68. AS 44.33.120 is amended by adding a new subsection to read:

22 (c) The commissioner of administration shall separately account
23 for money that derives from the sale of pamphlets, brochures, and
24 other graphic and pictorial materials under this section and AS 44.-
25 33.020(28) and that the division of tourism deposits in the general
26 fund. The annual estimated balance in the account may be used by the
27 legislature to make appropriations to the Department of Commerce and
28 Economic Development to cover related costs of the division of tour-
29 ism.

1 * Sec. 69. AS 44.37.025(b) is amended to read:

2 (b) The department shall engage and compensate recorders and
3 deputy recorders, prescribe and account for recording fees, and do all
4 other things necessary to maintain the recording system established
5 under the laws of this state. The commissioner of administration
6 shall separately account for fees collected under this section that
7 the Department of Natural Resources deposits in the general fund. The
8 annual estimated balance in the account may be used by the legislature
9 to make appropriations to the department to carry out the purposes of
10 this section.

11 * Sec. 70. AS 44.41.020 is amended to read:

12 Sec. 44.41.020. DUTIES OF DEPARTMENT. The Department of Public
13 Safety shall administer functions relative to the protection of life
14 and property. The department may enter into agreements with nonprofit
15 organizations and federal and local government agencies to train
16 personnel of those agencies in the protection of life and property.
17 The commissioner of administration shall separately account for train-
18 ing fees received under training agreements and that the department
19 deposits in the general fund. The annual estimated balance in the
20 account may be used by the legislature to make appropriations to the
21 department to carry out the purposes of this section.

22 * Sec. 71. AS 44.41.020 is amended by adding a new subsection to read:

23 (b) The department may enter into agreements with federal and
24 local government agencies to provide a statewide criminal justice
25 information system. Reasonable fees may be charged by the department
26 to cover the costs of providing services under these agreements,
27 including maintenance of terminal hardware and network connect char-
28 ges. The commissioner of administration shall separately account for
29 the criminal justice information system fees that the Department of

1 Public Safety deposits in the general fund. The annual estimated bal-
2 ance in the account may be used by the legislature to make appropria-
3 tions to the department to carry out the purposes of this section.

4 * Sec. 72. AS 44.41 is amended by adding a new section to read:

5 Sec. 44.41.025. FEES FOR FINGERPRINT INFORMATION. The commis-
6 sioner of public safety may establish by regulation and the Department
7 of Public Safety may charge a reasonable fee to be paid by a person
8 requesting information from the Alaska automated fingerprint system.
9 The commissioner of administration shall separately account for fees
10 collected under this subsection that the Department of Public Safety
11 deposits in the general fund. The annual estimated balance in the
12 account may be used by the legislature to make appropriations to the
13 department to carry out the purposes of this section.

14 * Sec. 73. AS 44.42.020(b) is amended to read:

15 (b) The department may

16 (1) engage in experimental projects relating to available
17 or future modes of transportation and any means of improving existing
18 transportation facilities and service.

19 (2) exercise the power of eminent domain, including the
20 declaration of taking as provided in AS 09.55;

21 (3) publish plans, schedules, directories, guides, and man-
22 uals for distribution, with or without charge, to private or public
23 entities or persons.

24 * Sec. 74. AS 44.42 is amended by adding a new section to read:

25 Sec. 44.42.025. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
26 commissioner of administration shall separately account for money that
27 derives from the sale of documents under AS 44.42.020(b)(3) and that
28 the Department of Transportation and Public Facilities deposits in the
29 general fund. The annual estimated balance in the account may be used

1 by the legislature to make appropriations to the department to carry
2 out the purposes of AS 44.42.020.

3 * Sec. 75. AS 44.47 is amended by adding a new section to read:

4 Sec. 44.47.055. FEES FOR PUBLICATIONS AND RESEARCH DATA. The
5 commissioner may establish by regulation and the department may charge
6 reasonable fees for department publications and research data to cover
7 the cost of reproduction, printing, mailing, and distribution. The
8 commissioner of administration shall separately account for fees
9 collected under this section that the department deposits in the
10 general fund. The annual estimated balance in the account may be used
11 by the legislature to make appropriations to the department to carry
12 out the purposes of this section.

13 * Sec. 76. AS 44.62.175(d) is amended to read:

14 (d) The lieutenant governor shall sell individual copies of and
15 subscriptions to the journal at a price reasonably calculated to
16 offset the cost of publication and distribution. The commissioner of
17 administration shall separately account for money collected under this
18 subsection that the lieutenant governor deposits in the general fund.
19 The annual estimated balance in the account may be used by the legis-
20 lature to make appropriations to the office of the lieutenant governor
21 to carry out the purposes of this section.

22 * Sec. 77. AS 44.74.010 is amended to read:

23 Sec. 44.74.010. WORKING CAPITAL FUND. The highways equipment
24 [A] working capital fund is established as an intragovernmental ser-
25 vice fund [IN THE STATE TREASURY] for the use of the Department of
26 Transportation and Public Facilities.

27 * Sec. 78. AS 44.74.020 is amended to read:

28 Sec. 44.74.020. USE OF FUND. The Department of Transportation
29 and Public Facilities [DEPARTMENT] shall use the highways equipment

1 working capital fund for necessary expenses resulting from the cen-
2 tralization of equipment maintenance and for the operation of supply
3 depots. The annual estimated balance in the fund may be used by the
4 legislature to make appropriations to the department to carry out the
5 purposes of this section.

6 * Sec. 79. AS 44.83.195 is amended by adding a new subsection to read:

7 (c) The commissioner of administration shall separately account
8 for money collected under (a) of this section that the authority
9 deposits in the general fund. The annual estimated balance in the
10 account may be used by the legislature to make appropriations to the
11 authority to cover the cost of project operations.

12 * Sec. 80. AS 45.09 is amended by adding a new section to article 4 to
13 read:

14 Sec. 45.09.409. ACCOUNTING AND DISPOSITION OF FEES. The commis-
15 sioner of administration shall separately account for fees charged
16 under AS 45.09.401 - 45.09.408 that the Department of Natural Re-
17 sources deposits in the general fund. The annual estimated balance in
18 the account may be used by the legislature to make appropriations to
19 the department to carry out the purposes of AS 45.09.401 - 45.09.408.

20 * Sec. 81. AS 45.55 is amended by adding a new section to read:

21 Sec. 45.55.265. ACCOUNTING AND DISPOSITION OF FEES. The commis-
22 sioner of administration shall separately account for all fees col-
23 lected under this chapter that the Department of Commerce and Economic
24 Development deposits in the general fund. The annual estimated bal-
25 ance in the account may be used by the legislature to make appropria-
26 tions to the department to carry out the purposes of this chapter.

27 * Sec. 82. AS 46.03.020 is amended by adding a new paragraph to read:

28 (12) deposit environmental service fees into an account in
29 the general fund.

1 * Sec. 83. AS 46.03 is amended by adding a new section to read:

2 Sec. 46.03.025. ACCOUNTING AND DISPOSITION OF FEES. The commis-
3 sioner of administration shall separately account for environmental
4 service fees collected under AS 46.03.020(12) that the department
5 deposits in the general fund. The annual estimated balance in the
6 account may be used by the legislature to make appropriations to the
7 department to carry out the purposes of

8 (1) seafood processor permits under AS 03.05;

9 (2) food service and bar permits under AS 18.35;

10 (3) drinking water plan review, air quality permits, haz-
11 arduous waste clean-up, on-site fees, wastewater disposal permits,
12 subdivision approval, oil pollution control plan approval and applica-
13 tions, and water and wastewater operator training under this title.

14 * Sec. 84. AS 47.10.120(a) is amended to read.

15 (a) When a child in need of aid or a delinquent minor is
16 committed under this chapter, the court shall [MAY], after giving the
17 parent or legal guardian a reasonable opportunity to be heard, adjudge
18 that the parent or guardian [SHALL] pay to the department in a manner
19 that [WHICH] the court directs a sum that is based on the fee schedule
20 adopted under AS 44.29.022 to [WHICH WILL] cover in full or in part
21 the maintenance and care [SUPPORT] of the child or [IN NEED OF AID.
22 WHEN A DELINQUENT MINOR IS COMMITTED UNDER THIS CHAPTER, THE COURT
23 SHALL ORDER THAT THE PARENT OF THE MINOR PAY IN A MANNER WHICH THE
24 COURT DIRECTS A SUM WHICH WILL COVER IN FULL OR IN PART THE SUPPORT OF
25 THE DELINQUENT] minor.

26 * Sec. 85. AS 47.10.120 is amended by adding a new subsection to read:

27 (d) The commissioner of administration shall separately account
28 for support fees collected under this section that the Department of
29 Health and Social Services deposits in the general fund. The annual

1 estimated balance in the account may be used by the legislature to
2 make appropriations to the department to carry out the purposes of
3 this section.

4 * Sec. 86. AS 47.10.230(c) is amended to read:

5 (c) The department may receive, care for, and make appropriate
6 placement of minors accepted for care for a period of up to six months
7 on the basis of an individual voluntary written agreement between the
8 minor's parent, legal guardian, or other person having legal custody
9 and the department. The agreement must [MAY] include provisions for
10 payment of fees under AS 44.29.022 [, IN WHOLE OR IN PART,] to the
11 department for the minor's care and treatment. The agreement entered
12 into may [SHALL] not [OPERATE TO] prohibit a minor's parent, legal
13 guardian, or other person who had legal custody from regaining care of
14 the minor at any time.

15 * Sec. 87. AS 47.10.290(1) is amended to read:

16 (1) "care" or "caring" under AS 47.10.010(a)(2)(A), 47.10.-
17 120(a) and 47.10.230(c), means to provide for the physical, emotional,
18 mental, and social needs of the child;

19 * Sec. 88. AS 47.10.290 is amended by adding a new paragraph to read:

20 (8) "department" means the Department of Health and Social
21 Services.

22 * Sec. 89. AS 47.23 is amended by adding a new section to read:

23 Sec. 47.23.125. ACCOUNTING AND DISPOSITION OF FEDERAL RECEIPTS
24 AND AGENCY COLLECTIONS. (a) Federal incentive payments received by
25 the state under 42 U.S.C. 658 shall be deposited in the general fund
26 and the commissioner of administration shall separately account for
27 the payments. The annual estimated balance in the account may be used
28 by the legislature to make appropriations to the Department of Revenue
29 to carry out the purposes of AS 47.23.020.

1 (b) The commissioner of administration shall separately account
2 for the state share of payments made by obligors under AS 47.23.120
3 that the agency collects and deposits in the general fund. The annual
4 estimated balance in the account may be used by the legislature to
5 make appropriations to the Department of Health and Social Services to
6 carry out the purposes of AS 47.10.230 - 47.10.260 and AS 47.25.310 -
7 47.25.420.

8 * Sec. 90. AS 47.25.030 is amended by adding a new subsection to read:

9 (e) The commissioner of administration shall separately account
10 for money received under this section and deposited in the general
11 fund. The annual estimated balance in the account may be used by the
12 legislature to make appropriations to the Department of Administration
13 to carry out the purposes of this section.

14 * Sec. 91. AS 47.30.910 is amended by adding a new subsection to read:

15 (g) The commissioner of administration shall separately account
16 for medical care and treatment fees collected under this section that
17 the department deposits in the general fund. The annual estimated
18 balance in the account may be used by the legislature to make appro-
19 priations to the department to carry out the purposes of this section.

20 * Sec. 92. AS 47.80.150(a) is amended to read:

21 (a) A person with a handicap or the person's legal representa-
22 tive acting in a representative capacity, [OR] the person's spouse, or
23 the person's parents if the person is a minor, shall pay or contribute
24 to the payment of the charges for the care or treatment in accordance
25 with the fee schedule adopted under AS 44.29.022 [THE MANNER AND
26 PROPORTION WHICH THE DEPARTMENT FINDS IS NOT DETRIMENTAL TO REHABILI-
27 TATION AND WHICH IS WITHIN THE RESPONSIBLE PERSON'S ABILITY TO PAY.
28 THE CHARGES MAY NOT EXCEED THE ACTUAL COST OF THE CARE OR TREATMENT AS
29 DETERMINED BY THE DEPARTMENT]. The order of the department relating

1 to the payment of charges shall be prospective in effect and may
2 [SHALL] relate only to charges to be incurred, except that if a person
3 intentionally conceals ability to pay, the person shall be ordered to
4 pay to the extent of the person's ability to pay the charges accruing
5 during the period of the concealment. The order of the department
6 relating to the payment of charges by the person with a handicap or
7 the person's legal representative, or the person's spouse or parents,
8 shall be issued within six months of the date on which the charge was
9 incurred. The department may make necessary investigations to deter-
10 mine the ability to pay. The order shall remain in full force and
11 effect unless modified by subsequent court or department orders.

12 * Sec. 93. AS 47.80.150(b) is amended to read:

13 (b) As used in (a) of this section, the term "actual cost of the
14 care and treatment" means the lesser of (1) [EITHER] the rate provided
15 for by a contract entered into under this chapter, (2) the fee estab-
16 lished under AS 44.29.022 for services provided under this chapter or,
17 (3) if the person is under the age of 18, the cost of care of a person
18 of the same age who is not a person with a handicap and who resides
19 with a parent or guardian [IN THE ABSENCE OF A CONTRACT, A DAILY RATE
20 FIXED BY THE DEPARTMENT], and includes expenses of transportation
21 incidental to treatment and carrying out the intent of this chapter.
22 In establishing fees for services under this chapter, the commissioner
23 shall consider the income and family size of the responsible party,
24 age of the person receiving the services, and other factors that
25 relate to the ability to pay. Fees may not exceed the actual cost of
26 the care or treatment.

27 * Sec. 94. AS 47.80.150(e) is amended to read:

28 (e) All money paid to the department by the person with a handi-
29 cap or on the person's behalf, under this section, shall be deposited

1 in the general fund [STATE TREASURY].

2 * Sec. 95. AS 47.80.150(f) is amended to read:

3 (f) If an order of payment is entered by the department under
4 this section and delinquency in the payment of any amount due the
5 state under the order continues for a period of more than 30 days
6 after the notification by the department to the person, the legal
7 representative, parent, or spouse of the person with a handicap, the
8 state may proceed to collect the amounts due by appropriate proceed-
9 ings. Actions to enforce the collection of payments may only be
10 brought within three years after the date of notification of a delin-
11 quent payment.

12 * Sec. 96. AS 47.80.150 is amended by adding a new subsection to read:

13 (g) The commissioner of administration shall separately account
14 for medical care and treatment fees collected under this section that
15 the department deposits in the general fund. The annual estimated
16 balance in the account may be used by the legislature to make appro-
17 priations to the department to carry out the purposes of this chapter.

18 * Sec. 97. AS 47.80.150(c) is repealed.

19 * Sec. 98. Notwithstanding the provisions of AS 18.56.090(3) and (24),
20 the Alaska Housing Finance Corporation may prepay at par value any debt
21 owed the state and may purchase at par value home mortgage loans from the
22 housing assistance loan fund (AS 44.47.380), in an amount not to exceed
23 \$70,000,000, from the Department of Revenue, in an amount not to exceed
24 \$15,000,000, and from the Veterans Revolving Loan Fund (AS 26.15), in an
25 amount not to exceed \$5,000,000.

26 * Sec. 99. In preparing the governor's budget for fiscal year 1988,
27 proposed general fund appropriations that are based on estimated program
28 receipts under this Act shall be identified as "general fund/program re-
29 ceipts" to distinguish them from other general fund appropriations.

1 * Sec. 100. Except for secs. 1 and 98 of this Act, this Act takes
2 effect July 1, 1986.

3 * Sec. 101. Section 1 of this Act takes effect July 1, 1987.

4 * Sec. 102. Section 98 of this Act takes effect immediately in accor-
5 dance with AS 01.10.070(c).

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STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

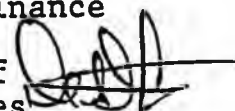
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 24, 1986

SUBJECT: Analysis of April 24 draft CSHB 696(Fin)

TO: Representative Al Adams
Chairman, House Finance

FROM: David R. Dierdorff 
Revisor of Statutes

Enclosed is a draft committee substitute for HB 696, the governor's "program receipts" bill. The purpose of this memo is to point out the changes that I made when preparing the April 24 draft and the changes in the April 16 draft that are still relevant. I also have described questions that may need to be addressed by the legislature.

Title. You will note that the title of the bill has been changed and enlarged. The title of the governor's version was not descriptive of the contents of the bill. The new title states the basic single subject of the bill in the first clause, and then continues with the specific major concepts addressed in the bill.

Section 1. This section sets out the basic principle that when charges, fees, or other receipts are authorized by law, the collecting agency may collect that revenue and must remit it to the Department of Revenue at least monthly. There is one change from the governor's version. On lines 16, 17, and 20, I have substituted "by statute" for "by law".

Sec. 2. The second sentence of this section (beginning on line 29, page 1) has been rewritten to make it clear that the only duty of the commissioner of administration is to account for the money deposited by the department that runs the program. Under the governor's language, it was conceivable that the commissioner of administration could be said to have the duty of collection and deposit, as well as that of accounting. The language used in this section became the model for all similar sections of the bill. I will not

describe this change for those sections unless the language varied from the model for some stated reason.

I also have a general observation that is applicable to all similar sections. You will note that the last sentence includes the phrase "purposes of this section." This phrase, or a variation of it, appears in every similar provision in this draft. It needs to be carefully reviewed in each instance to determine whether the references to "this section," "this chapter," "AS XXX - AS YYY," etc., are correct. For example, it may be that a reference to "this section" should really be to "this chapter," and vice-versa. The policy judgment to be made is the use to which the relevant "program receipts" are being put. In many cases it may only be to cover the cost of administering a part of a program, while in others it may be to attempt to recover the entire cost of a program.

Sec. 3. The statutory reference in the middle of this section was changed from a spanned reference to "this title" to comply with current form and style rules.

Sec. 4. Form and style changes only.

Secs. 5 and 6. These are new sections requested by OMB. Section 5 is unchanged, but sec. 6 is set up as a new subsection for AS 08.88.231, rather than as a new AS 08.88.225 requested by OMB. AS 08.88.231 currently provides that the "commission shall deposit all money collected under this chapter [AS 08.88] in the general fund." This section is the logical location for the new provisions.

Secs. 7 - 10. Form and style changes only.

Sec. 11. This new section is from OMB. I made form and style changes only.

Sec. 12. Form and style changes only.

Sec. 13. This section combines secs. 10 and 11 of the governor's bill. The provisions of the governor's sec. 10 may be found on lines 13 - 18, page 5; and the provisions of sec. 11 may be found beginning at line 25, page 5. Form and style changes have also been made.

Secs. 14 - 20. These were secs. 12 - 18 of the governor's bill. Form and style changes and clean up only.

Sec. 21. This was sec. 19 of the governor's bill. Please take a look at the language of paragraph (7) in both my draft and the governor's bill. I could not understand it in the governor's bill and could only make some sense of it after I rewrote it. I don't know what is meant by this paragraph, particularly by "services of educational activities."

Sec. 22 This is one of two new sections submitted by OMB for DOE. I made form and style changes. The second requested section was not included in this draft because the entire chapter (AS 14.52) was repealed in 1984.

Sec. 23. This was sec. 20 of the governor's bill. The entire section amended was included so that I could clean up a syntax problem that made this section difficult to read. The governor had included all of his changes in one paragraph of the section. I felt that they needed to be divided between existing paragraph (8) and new paragraph (10).

Secs. 24 - 26. Sections 21 - 23 of the governor's bill. Form and style changes and clean up only.

Sec. 27. This was sec. 24 in the governor's bill. The entire section amended was included so that I could clean up a syntax problem that made this section difficult to read.

Secs. 28 - 30. Sections 25 - 27 of the governor's bill. Form and style changes and clean up only. In the April 24 draft, however, references to two statutes were added in sec. 30 (on page 19, line 18) at the request of OMB.

Sec. 31. This was sec. 28 of the governor's bill and was substantially rewritten for clarity.

Sec. 32. This section contains in one new subsection of the section amended the material that is in secs. 29 and 30 of the governor's bill. The governor's sec. 29 had added a department power to a subsection setting out the powers of the commissioner. That material is now contained in the first sentence of new AS 17.30.100(c). The remaining material is the "boiler-plate" accounting and appropriation language.

Secs. 33 - 35. Sections 31 - 33 of the governor's bill. Form and style changes and clean up only.

Sec. 36. This was sec. 34 of the governor's bill. I have rewritten it to attempt to resolve the problem discussed under "sec. 32" in my April 16 memo, while still keeping the section within the scope of the bill's title. I used sec. 4, CSHB 514(Jud) as the starting point for the new language.

Sec. 37. Formerly sec. 35. Form and style changes and clean up only.

Sec. 38. The governor's sec. 37 contained two subsections. The first set out a statement that merely repeated the common law - that is, that a person who damages state property may be liable to the state for that damage. I deleted that subsection because I felt that it was not necessary and that its inclusion present single subject problems. The draft's sec. 38 should be sufficient for purposes of this bill.

Secs. 39 - 50. Sections 38 - 49 of the governor's bill. Form and style changes and clean up only.

Sec. 51. This was not in the governor's bill. It is the section requested by legislative finance and deals with the winding-up of Alaska Resources Corporation by the Department of Revenue.

Secs. 52 - 54. Sections 50 - 52 of the governor's bill. Form and style changes and clean up only.

Sec. 55. This was sec. 53 in the governor's bill. Form and style changes only, except that in line 15, page 24, "fiduciary" was substituted for "custodial" at the request of the Department of Revenue.

Secs. 56 - 61. Sections 54 - 59 of the governor's bill. Form and style changes and clean up only.

Sec. 62. This was sec. 60 in the April 16 draft. Subsection (c) of new AS 44.29.022 has been cleaned up to conform to the style of the bill. Also, subsection (a) of AS 44.29.024 has been changed to delete the reference to grants under AS 37.05.316, and subsection (b) has been changed to add language concerning disposition of fees collected.

Secs. 63 - 66. Sections 60 - 63 of the governor's bill. Form and style changes and clean up only, except that a reference to AS 44.33.020(25) was added on line 11, page 27.

Secs. 67 and 68. This was sec. 64 in the governor's bill. It was divided into two sections to comply with form and style rules. In sec. 67, the phrase "nonprofit organizations" was inserted on lines 9 and 10, page 28 at the request of OMB for DPS. The new authority set out in sec. 68 to provide a statewide criminal justice information system ought to be read with AS 12.62.040, 12.62.050, and 12.62.070 in mind, as I'm not sure that the new provision dovetails with the existing law as well as it should. There are clearly some policy questions involved in these issues.

Sec. 69. This new section was requested by OMB for DPS. It was requested as a new subsection for AS 44.41.020, but I felt it was more appropriate to set the material out in a new section.

Secs. 70 and 71. Sections 65 and 66 of the governor's bill. Form and style changes and clean up only.

Sec. 72. This is new and was requested by OMB. The changes made by me were primarily form and style and were approved by OMB.

Sec. 73. This is Rep. Pourchot's amendment.

Sec. 74. This was sec. 67 in the governor's bill. Note that in both versions the phrase "in the state treasury" is deleted. Should there be a reference to the general fund (e.g., is the working capital fund a fund within the general fund?) or is this entirely outside the general fund?

Sec. 75. This was sec. 68 in the governor's bill. Is accounting for the working capital fund entirely within DTPF or do we want to put in the boiler plate regarding the commissioner of administration?

Secs. 76 - 80. Sections 69 - 73 of the governor's bill. Form and style changes and clean up only.

Sec. 81. One of the HESS amendments.

Sec. 82. This was sec. 74 in the governor's bill. Form and style changes and clean up only.

Secs. 83 - 85. Discussed in HESS memo.

Secs. 86 - 88. Sections 75 - 77 of the governor's bill. Form and style changes and clean up only.

Representative Al Adams
Page 6
April 24, 1986

Secs. 89 and 90. HESS amendments. A sentence was added at the end of sec. 90 to incorporate material deleted in sec. 89. The material was more appropriately included in sec. 90 given the other HESS changes made in the bill.

Sec. 91. Section 78 of the governor's bill. Form and style changes and clean up only.

Sec. 92. HESS amendment.

Sec. 93. This was sec. 79 in the governor's bill. Form and style changes and clean up only.

Sec. 94. The repeal of AS 47.80.150(d) was deleted at the request of HESS.

Sec. 95. This was sec. 80 of the governor's bill.

DRD:mkr
m5/019

Enclosure

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

COPY


POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

April 16, 1986

SUBJECT: HESS Amendments to CSHB 696(Finance)

TO: Kathy Perdue
Assistant Commissioner for Administration
Department of Health and Social Services

FROM: David R. Dierdorff 
Revisor of Statutes

Enclosed for your consideration is a copy of the new sections I have prepared for CSHB 696(Fin) to meet your department's request. Quite obviously, there is a significant difference between the enclosure and the Department of Law draft that you gave to me. The purpose of this memo is to explain those differences.

If you want a copy of the latest draft CSHB 696(Fin), incorporating the enclosed provisions, please have House Finance staff provide a copy or authorize me to release a copy to you.

The two sections added to AS 44.29 that are in sec. 60 of the latest draft of CSHB 696(Fin) derive from secs. 1 - 3 of the Law draft. Law had placed these provisions in AS 18.05 and AS 47.05. As you can see, I have placed them in AS 44.29. The reason for this is that HESS's powers are so divided between AS 18, AS 44, AS 47, and even, indirectly, AS 37, I felt it best to place this general authority in the basic provisions establishing the department. You will note that I have rewritten the provisions extensively. Part of this is simply form and style, and part is to eliminate certain redundancies. In any event, I believe that proposed AS 44.29.022 and 44.29.024 cover exactly the same material that had been set out in secs. 1 - 3 of the Law draft.

You will note that proposed AS 44.29.022(c), which reflects Law's proposed AS 18.05.041(c), is quite different from other, similar provisions in HB 696. The other provisions speak only to accounting by the commissioner of

Kathy Perdue
Page 2
April 16, 1986

administration of the deposits in the general fund by the collecting department, and then suggest that the legislature may use the "estimated account balance" for appropriations. The Law draft for HESS replaces the scheme of the governor's bill with a scheme that involves both OMB and legislative finance. I have tried, in AS 44.29.022(c), to combine the concepts, but I suggest that one or the other ought to be selected, preferably that found in the governor's bill.

USE
Gov
696
style

Also, in connection with AS 44.29.022(c), please note that the last sentence mentions only "appropriations to the department" while similar language in the governor's bill refers consistently to appropriations to a department for a specific purpose, usually for the program for which fees are charged. In this instance, perhaps "to the department" is sufficient, because the collections will relate to a variety of programs. However, I wanted you and House Finance to be aware of this difference.

A related question that is raised by proposed AS 44.29.024 that was not answered in the Law draft is the question of what happens to fees collected by a contractor or grantee. In the draft, the contractor or grantee is directed to collect the fee, but it stops there. Is it your intent that they may keep the fees and thereby approach a self-supporting basis, or should they remit collections to the department to reimburse the state for the grant or contract expenditure, or is there some other goal? In any event, the disposition of fees collected under AS 44.29.024 should be addressed in this bill.

The amendments to AS 47.10.120(a) that were in sec. 4 of the Law draft are now in sec. 76 of CSHB 696(Fin). The only changes are form and style, those required by the different approach to the central authority for the fee schedule, and one that reflects the nature of the relationship between the legislature, the executive, and the judiciary. Instead of, in essence, requiring the court to order payment under the fee schedule, my draft requires the court to base the support order on the fee schedule. My draft gives the court a little leeway (which a court would probably take in any event).

Section 5 of the Law draft was already in HB 696. It appears as sec. 74 of the governor's bill and sec. 77 in the latest CS draft. They differ in that Law brought OMB into the picture in sec. 5, and sec. 77 follows the scheme of HB 696 described in connection with AS 44.29.022(c).

Kathy Perdue
Page 3
April 16, 1986

My draft amendment to AS 47.10.230(c), sec. 78 of the latest CS, reflects a restatement of some of the concepts that Law attempted to address in sec. 6 of their draft. It also includes amendments that are necessary to conform AS 47.10.230(c) to the concepts of HB 696. Most of Law's sec. 6 is redundant to the general authority granted under my AS 44.29.022 or Law's proposed AS 18.05.041 and AS 47.05.010(15), and is not included. It is also redundant to sec. 77 of CSHB 696(Fin) discussed above. We try to avoid provisions that merely restate other provisions of the law. This is particularly a problem with a department like HESS which is spread all over the place in the statutes, but it is one we are attempting to resolve in the statutes themselves by increasing the number of cross-reference notes in the publication.

Section 79 of the CS is sec. 7 of Law's draft, rewritten to reflect a usage change in my draft. The change also ensures that strangers will understand that "caring" and "care" are essentially synonymous.

Section 80 of the CS is sec. 8 of Law's draft, with the definition of "office" deleted because OMB is not referred to in my draft.

Section 9 of Law's draft is already included in HB 696, in secs. 75 and 76 of the governor's bill and secs. 81 and 82 of the latest CS.

Section 10 of Law's draft is already included in HB 696, in sec. 77 of the governor's bill and sec. 83 of the latest CS.

My draft amendment to AS 47.80.150(a) (sec. 84 of the latest CS) is based on sec. 11 of Law's draft. Some of Law's material was more suitably included in an amendment to AS 47.80.150(b), and that is now found as sec. 85 of the latest CS. I believe that secs. 84 and 85 incorporate all that was included in Law's draft sec. 11. In addition, sec. 85 contains the material that Law proposed in draft sec. 14 as a new AS 47.80.150(g).

My section 87 of the latest CS is essentially the same as Law's suggested sec. 13.

You will note that I propose, in sec. 89 of the CS, to repeal both AS 47.80.150(c) and (d), while Law suggested only that we repeal (c). Subsection (d)'s repeal is sug-

Kathy Perdue
Page 4
April 16, 1986

gested because the material in it is substantially replaced by AS 44.29.022(a) and (b).

Finally, I note that the remainder of Law's draft sec. 14 (proposed new AS 47.80.150(h)) was already in HB 696, as sec. 79 in the governor's bill and sec. 88 in the draft CS.

DRD:mkr
m4/121

Enclosure

HB 696

By: Ferguson

DRAFT LANGUAGE FOR AHFC

Sec. __. Notwithstanding the provisions of AS 18.56.-090(3) and (24), the Alaska Housing Finance Corporation may prepay at par value any debt owed the state and may purchase at par value home mortgage loans from the housing assistance loan fund (AS 44.47.380), in an amount not to exceed \$60,000,000, or from the Department of Revenue, in an amount not to exceed \$15,000,000.

* Section 1. AS 43.23.025 is amended to read:

Sec. 43.23.025. AMOUNT OF DIVIDEND. By October 1 of each year the commissioner shall give public notice of the value of each permanent fund dividend for that year. The commissioner shall determine the value of a permanent fund dividend by

(1) determining the total amount available for dividend payments, which is the total of

(A) the amount of income of the Alaska permanent fund transferred to the dividend fund under AS 43.23.045(b) during the current year;

(B) plus the unexpended and unobligated balance of prior fiscal year appropriations which lapse into the dividend fund under AS 43.23.045(d);

(C) less the amount necessary to pay dividends from the dividend fund in the current year under AS 43.23.055(3);

(D) less the amount appropriated from the dividend fund for the current fiscal year to pay the administrative costs of the permanent fund dividend program; and

(E) less the amount appropriated from the dividend fund for the current fiscal year to pay the public assistance authorized under AS 43.23.075 and the associated administrative costs;

(2) determining the number of individuals eligible to receive a dividend payment for the current year; and

(3) dividing the amount determined under [IN] (1) of this section by the amount determined under [IN] (2) of this section.

* Sec. 2. AS 43.23.045 is amended by adding a new subsection to read:

(d) Unless specified otherwise in an appropriation Act, the unexpended and unobligated portion of an appropriation to implement this chapter lapses into the dividend fund on June 30 of the fiscal year for which the appropriation was made, and must be used in determining the amount of, and paying, the subsequent year's dividend, as provided in AS 43.23.025(1)(B).

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.070(c).

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: 4/30/86

REQUEST

Bill/Resolution No.: CSHB 696 (Fin)
 Title: Re: financial administration
of state government...
 Sponsor: Rules Committee
 Requestor: House Finance Committee
 Date of Request: 4/30/86

FISCAL DETAIL

Agency Affected: All Agencies
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		/				
TRAVEL		/				
CONTRACTUAL		/				
SUPPLIES		/				
EQUIPMENT		/				
LAND & STRUCTURES		/				
GRANTS, CLAIMS		/				
MISCELLANEOUS		/				
TOTAL OPERATING		/				

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME		/				
PART-TIME		/				
TEMPORARY		/				

ANALYSIS : Attach a separate page if necessary

APA

Prepared by: Al Adams, Chair Phone: 465-3706
 Division: House Finance Committee Date: 4/30/86

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

BILL SHEFFIELD
GOVERNOR



1436-46

[Handwritten signature]

STATE OF ALASKA
OFFICE OF THE GOVERNOR

JUNEAU 3/10/80

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that makes changes in existing law to clarify the status and accounting for money received for goods and services provided by state agencies. The purpose of the bill is to expressly authorize the receipt and, subject to appropriation by the legislature, expenditures of money received by state agencies through the performance of duties prescribed by law or regulation.

The most significant provision of this bill is contained in sec. 1. The purpose of sec. 1 is to require express legal authority before a state agency may charge for goods or services.

The remaining sections of the bill either (1) expressly authorize the assessment of fees, or the provision of services already impliedly authorized by existing law, or (2) prescribe a method for accounting for money generated by state programs.

The amendments set out in this bill will make clear the permissible handling of program receipts. Although my administration feels that the most appropriate use of program receipts is to cover the expenses of the activities that earned them, it is within the legislature's discretion to determine the purpose for which those program receipts may be spent. The power of the legislature to appropriate program receipts is no different from its power to appropriate other money belonging to the general fund.

Other amendments in the bill are intended only to provide a more descriptive name for certain funds established by law. These amendments are not intended to change the purpose for these funds or any other substantive aspect in relation to them.

This bill was prepared after working in cooperation with the finance committees and is in response to 1984 Legislative Resolve 66 (derived from the Thirteenth Legislature's HCR 56).

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield".

Bill Sheffield
Governor

Offered: 5/1/86
Referred: Rules

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 696 (Finance) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the financial administration of state government; the provision of and charges for state services; accounting for receipts of state agencies; the sale of miscellaneous state property; and the acceptance and deposit of miscellaneous receipts of state agencies; and providing for an effective date."

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

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* Section 1. AS 37.10.050(a) is repealed and reenacted to read:

11

(a) A state agency may not charge for the provision of state services unless the charge is authorized by statute. Unless specifically exempted by statute, a state agency authorized to collect or receive fees, licenses, taxes, or other money belonging to the state shall account for and remit the receipts, less fees to which the collector is entitled by statute or regulation, to the Department of Revenue at least once each month.

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* Sec. 2. AS 02.15.130 is amended to read:

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Sec. 02.15.130. ASSISTANCE TO THE FEDERAL GOVERNMENT, MUNICIPALITIES AND OTHER PERSONS. The department may make available its engineering, maintenance, and other [TECHNICAL] services, with or without charge, to the federal government, or to a [ANY] municipality or person in connection with the planning, acquisition, construction, improvement, maintenance, or operation of airports or air navigation facilities. The commissioner of administration shall separately

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1 account for money that is generated by the provision of services to
2 nonstate entities under this section and that the department deposits
3 in the general fund. The annual estimated balance in the account may
4 be used by the legislature to make appropriations to the department to
5 carry out the purposes of this section.

6 * Sec. 3. AS 06.01 is amended by adding a new section to read:

7 Sec. 06.01.045. ACCOUNTING AND DISPOSITION OF FEES. The commis-
8 sioner of administration shall separately account for all fees col-
9 lected under this title that the department deposits in the general
10 fund. The annual estimated balance in the account may be used by the
11 legislature to make appropriations to the department to carry out the
12 purposes of this title.

13 * Sec. 4. AS 08.01.065 is amended by adding a new subsection to read:

14 (d) The commissioner of administration shall separately account
15 for occupational licensing fees deposited in the general fund by the
16 department. The annual estimated balance in the account may be used
17 by the legislature to make appropriations to the department to carry
18 out the activities of the division of occupational licensing.

19 * Sec. 5. AS 08.88.221 is amended to read:

20 Sec. 08.88.221. FEES. The Department of Commerce and Economic
21 Development shall set fees under AS 08.01.065 for a real estate brok-
22 er, associate broker, or salesman licensee or applicant for the fol-
23 lowing:

- 24 (1) examination;
25 (2) reciprocity;
26 (3) initial license;
27 (4) renewal of an active license;
28 (5) renewal of an inactive license;
29 (6) amending or transferring a license;

1 (7) publications offered by the commission;

2 (8) seminars offered by the commission.

3 * Sec. 6. AS 08.88.231 is amended by adding a new subsection to read:

4 (b) The commissioner of administration shall separately account
5 for all fees deposited in the general fund under (a) of this section.
6 The annual estimated balance in the account may be used by the legis-
7 lature to make appropriations to the Department of Commerce and Eco-
8 nomic Development to carry out the purposes of this chapter.

9 * Sec. 7. AS 10.05.768 is amended by adding a new subsection to read:

10 (b) The commissioner of administration shall separately account
11 for all fees collected under this chapter that the department deposits
12 in the general fund. The annual estimated balance in the account may
13 be used by the legislature to make appropriations to the department to
14 carry out the purposes of this chapter.

15 * Sec. 8. AS 10.15 is amended by adding a new section to article 7 to
16 read:

17 Sec. 10.15.563. ACCOUNTING AND DISPOSITION OF FEES. The commis-
18 sioner of administration shall separately account for all fees col-
19 lected under this chapter that the department deposits in the general
20 fund. The annual estimated balance in the account may be used by the
21 legislature to make appropriations to the department to carry out the
22 purposes of this chapter.

23 * Sec. 9. AS 10.20 is amended by adding a new section to article 8 to
24 read:

25 Sec. 10.20.643. ACCOUNTING AND DISPOSITION OF FEES. The commis-
26 sioner of administration shall separately account for all fees col-
27 lected under this chapter that the department deposits in the general
28 fund. The annual estimated balance in the account may be used by the
29 legislature to make appropriations to the department to carry out the

1 purposes of this chapter.

2 * Sec. 10. AS 10.25.530 is amended by adding a new subsection to read:

3 (c) The commissioner of administration shall separately account
4 for all fees collected under this chapter that the Department of
5 Commerce and Economic Development deposits in the general fund. The
6 annual estimated balance in the account may be used by the legislature
7 to make appropriations to the department to carry out the purposes of
8 this chapter.

9 * Sec. 11. AS 10.35 is amended by adding a new section to read:

10 Sec. 10.35.075. ACCOUNTING AND DISPOSITION OF FEES. The commis-
11 sioner of administration shall separately account for all fees col-
12 lected under this chapter that the Department of Commerce and Economic
13 Development deposits in the general fund. The annual estimated bal-
14 ance in the account may be used by the legislature to make appro-
15 priations to the department to carry out the purposes of this chapter.

16 * Sec. 12. AS 10.40.140 is amended by adding a new subsection to read:

17 (c) The commissioner of administration shall separately account
18 for all fees and penalties collected under this chapter that the
19 Department of Commerce and Economic Development deposits in the gener-
20 al fund. The annual estimated balance in the account may be used by
21 the legislature to make appropriations to the department to carry out
22 the purposes of this chapter.

23 * Sec. 13. AS 12.55.100(a) is amended to read:

24 (a) While on probation and among the conditions of probation,
25 the defendant may be required

26 (1) to pay a fine in one or several sums;

27 (2) to make restitution or reparation to aggrieved parties
28 for actual damages or loss caused by the crime for which conviction
29 was had;

1 (3) to provide for the support of any persons for whose
2 support the defendant is legally responsible; [AND]

3 (4) to perform community work in accordance with AS 12.55.-
4 055; and

5 (5) to pay a periodic probation fee as provided in AS 12.-
6 55.105.

7 * Sec. 14. AS 12.55 is amended by adding a new section to read:

8 Sec. 12.55.105. PROBATION FEE. (a) A court granting probation
9 shall require a periodic probation fee to be paid to the Department of
10 Corrections as a condition of probation. The fee amount shall be
11 established by regulation adopted by the commissioner of corrections.

12 (b) A probationer may choose to make the probation fee payments
13 by assignment of the probationer's permanent fund dividend received
14 under AS 43.23.005. The Department of Corrections shall provide a
15 form to the probationer to indicate this preference to the Department
16 of Revenue.

17 (c) The commissioner of corrections may attach the permanent
18 fund dividend of a probationer that is in arrears on the probation
19 fee.

20 (d) Money collected under this section shall be deposited in the
21 general fund. The commissioner of administration shall separately
22 account for money that the Department of Corrections deposits in the
23 general fund under this subsection. The annual estimated balance in
24 the account may be used by the legislature to make appropriations to
25 the department to carry out the purposes of AS 33.05.

26 * Sec. 15. AS 14.07.030 is amended to read:

27 Sec. 14.07.030. POWERS OF THE DEPARTMENT. The department may

28 (1) establish, maintain, govern, operate, discontinue, and
29 combine area, regional, and special schools;

1 (2) [REPEALED
2 (3) REPEALED
3 (4) REPEALED
4 (5)] enter into contractual agreements with the Bureau of
5 Indian Affairs or with a school district to share boarding costs of
6 secondary school students;
7 (3) [(6)] provide for citizenship night schools when and
8 where expedient;
9 (4) [(7)] provide for the sale or other disposition of
10 abandoned or obsolete buildings and other state-owned school property;
11 (5) [(8)] prescribe a classification for items of expense
12 of school districts;
13 (6) [(9)] acquire and transfer personal property, acquire
14 real property, and transfer real property to federal agencies, state
15 agencies, or to political subdivisions;
16 (7) [(10)] enter into contractual agreements with school
17 districts to provide more efficient or economical education services;
18 reasonable fees may be charged by the department to cover the costs of
19 providing services under an agreement, including costs for profes-
20 sional services, reproduction or printing, and mailing and distribu-
21 tion of educational materials;
22 (8) [(11)] provide for the issuance of elementary and
23 secondary diplomas to persons not in school who have completed the
24 equivalent of an 8th or 12th [EIGHTH OR TWELFTH] grade education,
25 respectively, in accordance with standards established by the depart-
26 ment;
27 (9) [(12)] exercise disapproval power under AS 14.08.101;
28 (10) apply for, accept, and spend endowments, grants, and
29 other private money available to the state for educational purposes in

1 accordance with AS 37.07 (the Executive Budget Act);

2 (11) set student tuition and fees for educational programs
3 provided and schools operated by the department under the provisions
4 of AS 14.07.020(12) and (1) of this section;

5 (12) charge fees to cover the costs of care and handling
6 with respect to the acquisition, warehousing, distribution, or trans-
7 fer of donated foods.

8 * Sec. 16. AS 14.07 is amended by adding a new section to read:

9 Sec. 14.07.035. ACCOUNTING AND DISPOSITION OF RECEIPTS. (a)

10 The commissioner of administration shall separately account for educa-
11 tional service fees collected under AS 14.07.030(7) that the depart-
12 ment deposits in the general fund. The annual estimated balance in
13 the account may be used by the legislature to make appropriations to
14 the department to carry out the purposes of AS 14.07.030.

15 (b) The commissioner of administration shall separately account
16 for each endowment, grant, or other money from a private donor re-
17 ceived under AS 14.07.030(10) that the department deposits in the
18 general fund. The annual estimated balance in the account may be used
19 by the legislature to make appropriations to the department to carry
20 out the educational purposes intended by the endowment, grant, or
21 gift.

22 (c) The commissioner of administration shall separately account
23 for student tuition and fees collected under AS 14.07.030(11) that the
24 department deposits in the general fund. The annual estimated balance
25 in the account may be used by the legislature to make appropriations
26 to the department to administer, maintain, and operate programs and
27 schools under AS 14.07.020(12) and 14.07.030(1).

28 (d) The commissioner of administration shall separately account
29 for fees collected under AS 14.07.030(12) that the department deposits

1 in the general fund. The annual estimated balance in the account may
2 be used by the legislature to make appropriations to the department to
3 carry out the programs for which the fees are collected.

4 (e) The commissioner of administration shall separately account
5 for money that derives from department auxiliary services, including
6 student services centers, student activities, and events administered
7 or operated by the department and that the department deposits in the
8 general fund. The annual estimated balance in the account may be used
9 by the legislature to make appropriations to the department to carry
10 out the purposes of AS 14.07.030.

11 * Sec. 17. AS 14.07.059(a) is amended to read:

12 (a) The Alaska school activities fund is established in the
13 general fund under the administration of [WITHIN] the Department of
14 Education.

15 * Sec. 18. AS 14.07.059 is amended by adding a new subsection to read:

16 (d) The department shall deposit in the Alaska school activities
17 fund all fees, including membership fees and activity and events fees
18 collected by the Alaska School Activities Association. The commis-
19 sioner of administration shall separately account for the deposits
20 into the fund. The annual estimated balance in the fund may be used
21 by the legislature to make appropriations to the department to carry
22 out the purposes of this section.

23 * Sec. 19. AS 14.20.020(c) is amended to read:

24 (c) The board may establish by regulation additional require-
25 ments for the issuance of certificates, including the fees to be
26 charged for each certificate.

27 * Sec. 20. AS 14.20.020 is amended by adding a new subsection to read:

28 (e) The commissioner of administration shall separately account
29 for teacher certification fees that the department deposits in the

1 general fund. The annual estimated balance in the account may be used
2 by the legislature to make appropriations to the department to carry
3 out the purposes of this section and to support the activities of the
4 Professional Teaching Practices Commission under AS 14.20.460, 14.-
5 20.470, and 14.20.500.

6 * Sec. 21. AS 14.25.180(a) is amended to read:

7 (a) The commissioner of revenue is the treasurer of the system
8 and has powers and duties for this purpose including but not limited
9 to the following:

10 (1) to act as official custodian of the cash and securities
11 belonging to the system and provide adequate safe deposit facilities
12 for them;

13 (2) to receive all items of cash belonging to the system;

14 (3) to collect the interest and principal on securities
15 acquired by the system and deposit the interest and principal in the
16 retirement fund;

17 (4) to invest and reinvest the assets of the retirement
18 fund in accordance with this section;

19 (5) to receive and spend appropriations from the retirement
20 fund to cover the cost of fiduciary duties under this section.

21 * Sec. 22. AS 14.40.210 is amended by adding a new subsection to read:

22 (b) The president of the University of Alaska shall separately
23 account for university receipts deposited in the treasury of the uni-
24 versity. The annual estimated balance in the account may be used by
25 the legislature to make appropriations to the university to carry out
26 the purposes of this chapter.

27 * Sec. 23. AS 14.40 is amended by adding a new section to article 3 to
28 read:

29 Sec. 14.40.490. DEFINITION OF UNIVERSITY RECEIPTS. In

1 AS 14.40.120 - 14.40.490, "university receipts" includes
2 (1) student fees, including tuition;
3 (2) receipts from university auxiliary services;
4 (3) recovery of indirect costs of university activities;
5 (4) receipts from sales and rentals of university property;
6 (5) federal receipts;
7 (6) gifts, grants, and contracts; and
8 (7) receipts from sales, rentals, and the provision of
9 services of educational activities.

10 * Sec. 24. AS 14.48.090(b) is amended to read:

11 (b) Fees collected under this chapter shall be deposited in the
12 general fund. The commissioner of administration shall separately
13 account for all fees that are collected and deposited under this
14 section. The annual estimated balance in the account may be used by
15 the legislature to make appropriations to the commission to carry out
16 the purposes of this chapter.

17 * Sec. 25. AS 14.56.030 is amended to read:

18 Sec. 14.56.030. STATE LIBRARY DUTIES. The department shall
19 undertake state library functions that [WHICH] will benefit the state
20 and its citizens, including:

21 (1) coordinating [COORDINATE] library services of the state
22 with other educational services and agencies to increase effectiveness
23 and eliminate duplication;

24 (2) providing [PROVIDE] reference library service to state
25 and other public officials;

26 (3) providing [PROVIDE] library services and administering
27 [ADMINISTER] state and other grants-in-aid to public libraries to
28 supplement and improve their services, the grants to be paid from
29 funds appropriated for that purpose, or from other funds available for

1 that purpose;

2 (4) providing [PROVIDE] library service directly to areas
3 in which there is not sufficient population or local revenue to sup-
4 port independent library units;

5 (5) distributing [DISTRIBUTE] financial aid to public
6 libraries for extension of library service to surrounding areas and to
7 improve inadequate local library service under regulations adopted
8 [PROMULGATED] by the department;

9 (6) offering [OFFER] consultant service on library matters
10 to state and municipal libraries, community libraries, school li-
11 braries, and libraries in unincorporated communities;

12 (7) serving [SERVE] as a depository for state and federal
13 publications concerning Alaska;

14 (8) applying for, receiving, and spending, in accordance
15 with AS 37.07 (the Executive Budget Act), [APPLY FOR, RECEIVE, AND
16 SPEND] federal, state, or private funds available for library pur-
17 poses;

18 (9) recording and distributing [RECORD AND DISTRIBUTE] the
19 election pamphlet provided for by AS 15.58 to libraries throughout the
20 state for use by blind voters;

21 (10) establishing and charging fees for reproduction or
22 printing costs and for mailing and distributing state publications and
23 research data.

24 * Sec. 26. AS 14.56 is amended by adding a new section to read:

25 Sec. 14.56.035. ACCOUNTING AND DISPOSITION OF FEES. The commis-
26 sioner of administration shall separately account for publication and
27 distribution fees received under AS 14.56.030(10) and that the depart-
28 ment deposits in the general fund. The annual estimated balance in
29 the account may be used by the legislature to make appropriations to

1 the department to carry out the purposes of AS 14.56.030.

2 * Sec. 27. AS 14.57.010(b) is amended to read:

3 (b) The department shall

4 (1) acquire artifacts, natural history specimens, art
5 objects, etc., that pertain to the human and natural history of Alaska
6 by purchase and by gift;

7 (2) identify, catalog, preserve, and display these acquisitions;
8

9 (3) acquire and catalog Alaskan photographs and maintain a
10 card catalog of this collection;

11 (4) accept endowments, grants, and gifts in accordance with
12 AS 37.07 (the Executive Budget Act) [ESTABLISHED STATE POLICY];

13 (5) collect and maintain books, periodicals, pamphlets, and
14 other materials pertinent to museum administration, techniques and
15 collections;

16 (6) assist and advise in the development of local museums;

17 (7) collect and keep current information concerning museum
18 activities throughout the state;

19 (8) coordinate the museum activities of the state with
20 those of other agencies;

21 (9) keep the museum open at reasonable hours for the convenience of visitors;
22

23 (10) provide museum services and administer state and other
24 grants-in-aid to museums in the state to supplement and improve their
25 services, the grants to be paid from money [FUNDS] appropriated for
26 that purpose, or from other mcney [FUNDS] available for that purpose.

27 * Sec. 28. AS 14.57 is amended by adding a new section to read:

28 Sec. 14.57.015. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
29 commissioner of administration shall separately account for each

1 endowment or grant from a private donor received under AS 14.57.-
2 010(b)(4) and deposited by the department in the general fund. The
3 annual estimated balance in the account may be used by the legislature
4 to make appropriations to the department to carry out the purposes of
5 AS 14.57.010.

6 * Sec. 29. AS 16.05.050 is amended to read:

7 Sec. 16.05.050. POWERS AND DUTIES OF COMMISSIONER. The commis-
8 sioner has, but not by way of limitation, the following powers and
9 duties:

10 (1) to assist the United States Fish and Wildlife Service
11 in the enforcement of federal laws and regulations pertaining to fish
12 and game;

13 (2) through the appropriate state agency, to acquire by
14 gift, purchase, or lease, or other lawful means, land, buildings,
15 water, rights-of-way, or other necessary or proper real or personal
16 property when the acquisition is in the interest of furthering an
17 objective or purpose of the department and the state;

18 (3) to design and construct hatcheries, pipelines, rearing
19 ponds, fishways, and other projects beneficial for the fish and game
20 resources of the state;

21 (4) to accept money from any person under conditions re-
22 quiring the use of the money for specific purposes in the furtherance
23 of the protection, rehabilitation, propagation, preservation, or
24 investigation of the fish and game resources of the state or in set-
25 tlement of claims for damages to fish or game resources;

26 (5) to collect, classify, and disseminate statistics, data
27 and information that, in the commissioner's discretion, will tend to
28 promote the purposes of this title except AS 16.51 and AS 16.52;

29 (6) to capture, propagate, transport, buy, sell, or

1 exchange fish or game or eggs for propagating, scientific or stocking
2 purposes;

3 (7) to provide public facilities where necessary or proper
4 to facilitate the taking of fish or game, and to enter into coopera-
5 tive agreements with any person to effect them;

6 (8) to exercise administrative, budgeting, and fiscal
7 powers;

8 (9) to construct, operate, supervise, and maintain vessels
9 used by the Department of Fish and Game;

10 (10) to authorize the holder of an interim-use permit under
11 AS 16.43 to engage on an experimental basis in commercial taking of a
12 fishery resource with vessel, gear, and techniques not presently
13 qualifying for licensing under this chapter in conformity with stan-
14 dards established by the Alaska Commercial Fisheries Entry Commission;

15 (11) not later than January 31 of each year, to provide to
16 the commissioner of revenue the names of those fish and shellfish
17 species that [WHICH] the commissioner of fish and game designates as
18 developing commercial fish species for that calendar year; a fish or
19 shellfish species is a developing commercial fish species if, within a
20 specified geographical region,

21 (A) the optimum yield from the harvest of the species
22 has not been reached;

23 (B) a substantial portion of the allowable harvest of
24 the species has been allocated to fishing vessels of a foreign
25 nation; or

26 (C) a commercial harvest of the fish species has
27 recently developed;

28 (12) to initiate or conduct research necessary or advisable
29 to carry out the purposes of this title except AS 16.51 and AS 16.52;

1 (13) to enter into cooperative agreements with agencies of
2 the federal government, educational institutions, or other agencies or
3 organizations, when in the public interest, to carry out the purposes
4 of this title except AS 16.51 and AS 16.52;

5 (14) to sell fish caught during commercial fisheries test
6 fishing operations;

7 (15) to establish and charge fees equal to the cost of
8 services provided by the department, including provision of public
9 shooting ranges, broodstock and eggs for private nonprofit hatcheries,
10 department publications, and other direct services.

11 * Sec. 30. AS 16.05 is amended by adding a new section to read:

12 Sec. 16.05.055. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
13 commissioner of administration shall separately account for money
14 collected under AS 16.05.050(4), (14), and (15) and that the depart-
15 ment deposits in the general fund. The annual estimated balance in
16 each account may be used by the legislature to make appropriations to
17 the department to carry out the activities for which fees have been
18 charged or for which the money was collected.

19 * Sec. 31. AS 16.05.826 is amended by adding a new subsection to read:

20 (d) The commissioner of administration shall separately account
21 for receipts from waterfowl conservation limited edition prints that
22 the department deposits in the general fund. The annual estimated
23 balance in the account may be used by the legislature to make appro-
24 priations to the department to carry out the purposes set out in
25 AS 16.05.130(b).

26 * Sec. 32. AS 16.43 is amended by adding a new section to read:

27 Sec. 16.43.105. ACCOUNTING AND DISPOSITION OF FEES. The commis-
28 sioner of administration shall separately account for fees collected
29 under AS 16.43.100, 16.43.160, and 16.43.960 that the commission

1 deposits in the general fund. The annual estimated balance in the
2 account may be used by the legislature to make appropriations to the
3 commission to carry out the activities for which fees have been char-
4 ged.

5 * Sec. 33. AS 16.51.160(b) is amended to read:

6 (b) The seafood marketing assessment collected under this chap-
7 ter shall be deposited by the Department of Revenue in the general
8 fund and the commissioner of administration shall separately account
9 for the deposits. The legislature may make appropriations to the
10 Department of Commerce and Economic Development for the purpose of
11 providing financing to the institute based on the annual estimated
12 balance in the account [COLLECTIONS OF THE SEAFOOD MARKETING ASSESS-
13 MENT], and may appropriate additional money beyond the seafood market-
14 ing assessment as need is demonstrated by the institute.

15 * Sec. 34. AS 17.30.100 is amended by adding a new subsection to read:

16 (c) The Department of Public Safety, in cooperation with other
17 state and federal agencies, and in accordance with AS 37.07 (the
18 Executive Budget Act), may apply for and accept money necessary to
19 exchange information concerning narcotics trafficking between the
20 states. The commissioner of administration shall separately account
21 for money received under this subsection that the Department of Public
22 Safety deposits in the general fund. The annual estimated balance in
23 the account may be used by the legislature to make appropriations to
24 the department to carry out the purposes of this section.

25 * Sec. 35. AS 18.50.330(b) is amended to read:

26 (b) The state registrar shall account for fees received by the
27 bureau under this section and shall pay them to the Department of
28 Revenue. The Department of Revenue shall deposit them in the general
29 fund. The commissioner of administration shall separately account for

1 the fees deposited in the general fund. The annual estimated balance
2 in the account may be used by the legislature to make appropriations
3 to the Department of Health and Social Services to carry out the
4 purposes of this section.

5 * Sec. 36. AS 18.60 is amended by adding a new section to read:

6 ARTICLE 14. MISCELLANEOUS PROVISIONS.

7 Sec. 18.60.950. ACCOUNTING AND DISPOSITION OF FEES. The commis-
8 sioner of administration shall separately account for fees collected
9 by the Department of Labor under this chapter and deposited in the
10 general fund. The annual estimated balance in the account may be used
11 by the legislature to make appropriations to the Department of Labor
12 to carry out the purposes of this chapter.

13 * Sec. 37. AS 18.62.030 is amended to read:

14 Sec. 18.62.030. FEE. When submitting an application, an appli-
15 cant shall pay a fee of \$40 for a certificate valid for one year or
16 \$75 for a certificate valid for three years. The commissioner of
17 administration shall separately account for certificate of fitness
18 fees that the Department of Labor deposits in the general fund. The
19 annual estimated balance in the account may be used by the legislature
20 to make appropriations to the department to carry out the purposes of
21 this chapter.

22 * Sec. 38. AS 18.70.080 is amended by adding a new subsection to read:

23 (b) The commissioner of public safety may establish by regu-
24 lation and the department may charge reasonable fees for fire and life
25 safety plan checks made to determine compliance with regulations
26 adopted under (a)(2) of this section. The commissioner of adminis-
27 tration shall separately account for fees collected under this sub-
28 section that the Department of Public Safety deposits in the general
29 fund. The annual estimated balance in the account may be used by the

1 legislature to make appropriations to the department to carry out the
2 purposes of this chapter.

3 * Sec. 39. AS 19.05 is amended by adding a new section to read:

4 Sec. 19.05.046. ACCOUNTING AND DISPOSITION OF RECEIPTS FROM
5 NONSTATE ENTITIES. The commissioner of administration shall separ-
6 ately account for money that is derived from maintenance services
7 provided to nonstate entities and that the department deposits in the
8 general fund. The annual estimated balance in the account may be used
9 by the legislature to make appropriations to the department to carry
10 out the purposes of this chapter.

11 * Sec. 40. AS 19.25 is amended by adding a new section to article 2 to
12 read:

13 Sec. 19.25.040. DAMAGES TO STATE HIGHWAYS AND ROADS. The com-
14 missioner of administration shall separately account for money depos-
15 ited in the general fund that is derived from damages that are re-
16 covered from vehicle owners, drivers, or insurance companies for
17 damage to property related to state-owned roads and highways, includ-
18 ing bridges, overpasses, signal poles, street lights and poles, traf-
19 fic signals, guardrails, or fences. The annual estimated balance in
20 the account may be used by the legislature to make appropriations to
21 the department for the purpose of repairing the damage.

22 * Sec. 41. AS 19.25.200 is amended to read:

23 Sec. 19.25.200. ENCROACHMENT PERMITS. An encroachment may be
24 constructed, placed, changed or maintained across or along a highway
25 but only in accordance with regulations adopted by the department. An
26 [NO] encroachment may not be constructed, placed, maintained or chan-
27 ged until it is duly authorized by a written permit issued by the
28 department. The department may charge a fee for a permit issued under
29 this section. The commissioner of administration shall separately

1 account for encroachment permit fees that the department deposits in
2 the general fund. The annual estimated balance in the account may be
3 used by the legislature to make appropriations to the department to
4 carry out the purposes of this section.

5 * Sec. 42. AS 21.06 is amended by adding a new section to read:

6 Sec. 21.06.260. ACCOUNTING AND DISPOSITION OF FEES. The commis-
7 sioner of administration shall separately account for fees collected
8 under this chapter that the division deposits in the general fund.
9 The annual estimated balance in the account may be used by the legis-
10 lature to make appropriations to the Department of Commerce and Eco-
11 nomic Development to carry out the operations of the division.

12 * Sec. 43. AS 23.05.060 is amended to read:

13 Sec. 23.05.060. POWERS OF THE DEPARTMENT. The department may

14 (1) enforce all state labor laws;

15 (2) act as mediator and appoint deputy commissioners of
16 conciliation in labor disputes whenever it considers the interest of
17 industrial peace requires it;

18 (3) make investigations, collect and compile statistical
19 information concerning the conditions of labor generally and upon all
20 matters relating to the enforcement of this chapter;

21 (4) institute court proceedings against an employer of
22 labor without cost to the employee when it is satisfied that the
23 employer has failed to pay an employee an amount due by contract;

24 (5) issue cease and desist orders and other orders and
25 regulations necessary for the enforcement of state labor laws;

26 (6) in accordance with AS 37.07 (the Executive Budget Act),
27 receive and spend money derived from agreements with local govern-
28 ments, nongovernmental organizations, or other persons.

29 * Sec. 44. AS 23.05 is amended by adding a new section to read:

1 Sec. 23.05.070. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
2 commissioner of administration shall separately account for money
3 received under AS 23.05.060(6) that the department deposits in the
4 general fund. The annual estimated balance in the account may be used
5 by the legislature to make appropriations to the department to carry
6 out the purposes of AS 23.05.060.

7 * Sec. 45. AS 23.15.130(c) is repealed and reenacted to read:

8 (c) The commissioner of administration shall separately account
9 for receipts under (b) of this section that are paid into the voca-
10 tional rehabilitation small business enterprise revolving fund. The
11 annual estimated receipts of the fund may be used by the legislature
12 to make appropriations to the department to aid licensees in operating
13 vending machine facilities.

14 * Sec. 46. AS 26.05.230(b) is amended to read:

15 (b) The armory of each battalion, company, or other unit is sub-
16 ject to the order of the adjutant general and under the charge of its
17 armory board, which shall keep in the armory all property furnished by
18 the state. Except for scout battalions organized under special au-
19 thority of the Secretary of the Army, a [NO] unit may not be furnished
20 with arms or equipment until a suitable armory is provided for their
21 deposit. Subject to regulations adopted by the adjutant general, an
22 armory may be used for any reasonable and legitimate civilian activity
23 so long as the activity does not interfere with its use for military
24 purposes. Proceeds received as rental or otherwise at an armory from
25 nonmilitary use shall be deposited in the [STATE] general fund. The
26 commissioner of administration shall separately account for facilities
27 rental fees that are deposited in the general fund under this subsec-
28 tion. The annual estimated balance in the account may be used by the
29 legislature to make appropriations to the Department of Military and

1 Veterans' Affairs to carry out the purposes of this section.

2 * Sec. 47. AS 28.05.021 is amended by adding a new subsection to read:

3 (b) The commissioner of administration shall separately account
4 for money that is derived from activities authorized under this sec-
5 tion and that the department deposits in the general fund. The annual
6 estimated balance in the account may be used by the legislature to
7 make appropriations to the department to carry out the purposes of
8 this section, including payment to commissioned agents.

9 * Sec. 48. AS 28.10.431 is amended by adding a new subsection to read:

10 (i) The commissioner of administration shall separately account
11 for the collection costs received under (e) of this section that the
12 department deposits in the general fund. The annual estimated balance
13 in the account may be used by the legislature to make appropriations
14 to the department to carry out the purposes of this section.

15 * Sec. 49. AS 33.30.070 is amended to read:

16 Sec. 33.30.070. FURNISHING [COMMISSIONER MAY CONTRACT TO FUR-
17 NISH] FACILITIES TO UNITED STATES OR A POLITICAL SUBDIVISION OF THIS
18 STATE. The commissioner may contract with the proper authorities of
19 the United States or a political subdivision of this state to provide
20 the services of state prison facilities for the safekeeping, care, and
21 subsistence of persons held under the authority of the law of the
22 [THEIR] respective jurisdiction [JURISDICTIONS]. The commissioner of
23 administration shall separately account for payments received for the
24 services provided under this section that the department deposits in
25 the general fund. The annual estimated balance in the account may be
26 used by the legislature to make appropriations to the department to
27 carry out the purposes of this section.

28 * Sec. 50. AS 33.32.020(a) is amended to read:

29 (a) There is established in the Department of Corrections an

1 intragovernmental service [A] fund [TO BE] known as the correctional
2 industries fund. All expenses of the correctional industries program,
3 except salaries and benefits of state employees, may [ARE TO] be fi-
4 nanced from the correctional industries fund [AND BUDGETED] in accord-
5 ance with AS 37.07 (the Executive Budget Act) [(AS 37.07)]. The
6 commissioner of corrections shall report annually to the legislature
7 all activities and balances of the fund.

8 * Sec. 51. AS 33.32.020(b) is amended to read:

9 (b) The legislature may appropriate to the correctional indus-
10 tries fund the [ANY] amounts necessary to implement this chapter.
11 Money [, WHICH MAY EQUAL OR EXCEED THE AMOUNTS] received by the state
12 for services rendered or products sold by the correctional industries
13 program shall be deposited in the correctional industries fund. The
14 annual estimated balance in the fund may be used by the legislature to
15 make appropriations to the Department of Corrections to carry out the
16 purposes of this section.

17 * Sec. 52. AS 34.55.020 is amended by adding a new subsection to read:

18 (g) The commissioner of administration shall separately account
19 for filing, registration, and inspection fees collected under this
20 chapter that the department deposits in the general fund. The annual
21 estimated balance in the account may be used by the legislature to
22 make appropriations to the department to carry out the purposes of
23 this section.

24 * Sec. 53. AS 37.12.023 is amended to read:

25 Sec. 37.12.023. DEPOSIT OF MONEY. Repayments of principal and
26 payments of interest and other income from loans of the corporation,
27 dividends received from capital stock investments, and money received
28 from the sale of equity investments or other assets of the corporation
29 shall [MUST] be deposited in the general fund. The commissioner of

1 administration shall separately account for money collected under this
2 section that is deposited by the corporation or the Department of
3 Revenue. The annual estimated balance in the account may be used by
4 the legislature to make appropriations to the department to administer
5 the winding-up of the corporation.

6 * Sec. 54. AS 37.15.420(a) is amended to read:

7 (a) There is established a capital project fund [A SPECIAL FUND
8 OF THE STATE] known as the "International Airports Construction Fund,"
9 into which shall be paid the proceeds of the sale of the bonds (except
10 any accrued interest paid on them, which shall be paid into the bond
11 redemption fund) and [ANY] grant or other money that [WHICH] is legal-
12 ly provided for the same purposes for which the bonds are authorized.
13 The money in the construction fund shall be used to pay the costs of
14 acquiring, equipping, constructing and installing additions and im-
15 provements to and extensions of and facilities for the airports and
16 costs incidental thereto, including costs of the authorization, issu-
17 ance and sale of the bonds. To the extent provided in the bond reso-
18 lution, money in the construction fund may also be used for the pay-
19 ment of interest on the bonds during the period of actual construc-
20 tion, and for a [SUCH] further period, not exceeding one year after
21 the period of construction, that [AS] may be provided in the bond
22 resolution. Money in the construction fund may also be transferred to
23 the bond redemption fund, to the extent provided in the bond resolu-
24 tion, to establish a reserve for the payment of the principal of and
25 interest on the bonds.

26 * Sec. 55. AS 37.15.430(a) is amended to read:

27 (a) There is established an enterprise fund [ANOTHER SPECIAL
28 FUND OF THE STATE,] known as the "International Airports Revenue
29 Fund," [WHICH SHALL BE COMPLETELY SEGREGATED AND SET APART FROM ALL

1 OTHER FUNDS OF THE STATE, WHICH IS A TRUST FUND FOR THE USES AND PUR-
2 POSES PROVIDED IN AS 37.15.410 - 37.15.550, AND] into which shall be
3 paid all revenue [REVENUES], fees, charges, and rentals derived by the
4 state from the ownership, lease, use, and operation of the airports
5 and all of the facilities and improvements of them and facilities and
6 improvements used in connection with them. The revenue [THESE REVE-
7 NUES], charges, fees, and rentals may [SHALL] not include the proceeds
8 of any state tax or license. The money in the revenue fund may
9 [SHALL] only be used for the purpose of

10 (1) paying or securing the payment of the principal of and
11 interest on the bonds and of and on any other revenue bonds issued by
12 authorization of the legislature to provide money [FUNDS] to acquire,
13 equip, construct, and install additions and improvements to, and
14 extensions of and facilities for, the airports, and to be payable out
15 of the revenue fund;

16 (2) [, THE PURPOSE OF] paying the normal and necessary
17 costs of maintaining and operating the airports and all of the im-
18 provements and facilities of them;

19 (3) [, THE PURPOSE OF] paying the costs of renewals, re-
20 placements, and extraordinary repairs to the airports and all of the
21 improvements and facilities of them;

22 (4) [, THE PURPOSE OF] redeeming before their fixed matur-
23 ities any and all revenue bonds issued for the purposes of the air-
24 ports;

25 (5) [, THE PURPOSE OF] providing money [FUNDS] to acquire,
26 construct and install necessary additions and improvements to and
27 extensions of and facilities for the airports and all of their facil-
28 ities; [,] and

29 (6) [THE PURPOSE OF] providing money [FUNDS] to pay any and

1 all other costs relating to the ownership, use, and operation of the
2 airports.

3 * Sec. 56. AS 38.35.140(b) is amended to read:

4 (b) The lessee shall reimburse the state for all reasonable
5 costs incurred in processing an application filed under AS 38.35.050
6 and in monitoring the construction of the pipeline on the right-of-
7 way. The commissioner of administration shall separately account for
8 money received under this subsection that the Department of Natural
9 Resources deposits in the general fund. The annual estimated balance
10 in the account may be used by the legislature to make appropriations
11 to the department to carry out the purposes of this section.

12 * Sec. 57. AS 39.35.080 is amended to read:

13 Sec. 39.35.080. DUTIES OF COMMISSIONER OF REVENUE. The commis-
14 sioner of revenue is the treasurer of the system and shall

15 (1) act as official custodian of the cash and securities
16 belonging to the system and provide adequate safe deposit facilities
17 for them;

18 (2) receive cash belonging to the system;

19 (3) collect the interest and principal on securities ac-
20 quired by the system and deposit it in the pension fund maintained in
21 the name of the system;

22 (4) invest and reinvest the assets of the pension fund in
23 accordance with AS 39.35.110; and

24 (5) receive and spend appropriations from the retirement
25 fund to cover the cost of fiduciary duties.

26 * Sec. 58. AS 41.08 is amended by adding a new section to read:

27 Sec. 41.08.025. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
28 commissioner of administration shall separately account for money
29 received under AS 41.08.020(b)(5) from agreements with individuals,

1 private agencies, communities and private industry and that the De-
2 partment of Natural Resources deposits in the general fund. The
3 annual estimated balance in the account may be used by the legislature
4 to make appropriations to the department to carry out the purposes of
5 AS 41.08.020.

6 * Sec. 59. AS 42.05.651 is amended by adding a new subsection to read:

7 (b) The commissioner of administration shall separately account
8 for investigation and hearing costs collected under this section that
9 the commission deposits in the general fund. The annual estimated
10 balance in the account may be used by the legislature to make appro-
11 priations to the commission to carry out the purposes of this section.

12 * Sec. 60. AS 42.06.610 is amended by adding a new subsection to read:

13 (c) The commissioner of administration shall separately account
14 for investigation and hearing costs collected under this section that
15 the commission deposits in the general fund. The annual estimated
16 balance in the account may be used by the legislature to make appro-
17 priations to the commission to carry out the purposes of this chapter.

18 * Sec. 61. AS 42.30.225 is amended by adding a new subsection to read:

19 (f) The commissioner of administration shall separately account
20 for certificate of compliance fees collected under this section that
21 the department deposits in the general fund. The annual estimated
22 balance in the account may be used by the legislature to make appro-
23 priations to the department to carry out the purposes of this section.

24 * Sec. 62. AS 43.10 is amended by adding a new section to read:

25 Sec. 43.10.037. ACCOUNTING AND DISPOSITION OF FEES. The commis-
26 sioner of administration shall separately account for collection fees
27 added to delinquent taxes and that the department deposits in the
28 general fund. The annual estimated balance in the account may be used
29 by the legislature to make appropriations to the department to carry

1 out the purposes of this chapter.

2 * Sec. 63. AS 43.23.065 is repealed and reenacted to read:

3 Sec. 43.23.065. EXEMPTION OF PERMANENT FUND DIVIDENDS. (a)

4 Except as provided in (b) of this section, 50 percent of the annual
5 permanent fund dividend payable to an individual is exempt from levy,
6 execution, garnishment, attachment, or any other remedy for the col-
7 lection of debt. This exemption applies to an eligible individual's
8 permanent fund dividend both before and after payment is made to the
9 individual.

10 (b) An exemption is not available under this section for perma-
11 nent fund dividends taken to satisfy

12 (1) child support obligations required by court order or
13 decision of the child support enforcement agency under AS 47.23.140 -
14 47.23.220;

15 (2) court ordered restitution under AS 12.55.045 - 12.55.-
16 051 or 12.55.100;

17 (3) a court ordered probation fee under AS 12.55.105; or

18 (4) a debt owed by an eligible individual to an agency of
19 the state, unless the debt is contested and an appeal is pending, or
20 the time limit for filing an appeal has not expired.

21 (c) Claims listed in (b) of this section have priority in the
22 order listed over other claims on a permanent fund dividend.

23 * Sec. 64. AS 44.21.160 is amended by adding a new subsection to read:

24 (g) The commissioner of administration shall separately account
25 for data processing services fees charged to political subdivisions
26 and deposited in the general fund. The annual estimated balance in
27 the account may be used by the legislature to make appropriations to
28 the department to carry out the purposes of this section.

29 * Sec. 65. AS 44.29 is amended by adding new sections to article 1 to

1 read:

2 Sec. 44.29.022. FEES FOR DEPARTMENT SERVICES. (a) The commis-
3 sioner of health and social services may establish by regulation a
4 schedule of reasonable fees for services provided by the Department of
5 Health and Social Services under AS 44.29.010(1) - (9), AS 47.10,
6 AS 47.30.655 - 47.30.910, and AS 47.80.100 - 47.80.170. The fee
7 established for a service may not exceed the actual cost of providing
8 the service. The commissioner may define or establish the "actual
9 cost of providing a service" by regulation. The Department of Health
10 and Social Services shall charge and collect the fees established
11 under this subsection. The department may waive collection of a fee
12 upon a finding that collection is not economically feasible or in the
13 public interest.

14 (b) The commissioner of health and social services may establish
15 by regulation and the department may charge reasonable fees for de-
16 partment publications and research data to cover the cost of reproduc-
17 tion, printing, mailing, and distribution

18 (c) The commissioner of administration shall separately account
19 for fees collected under this section that the Department of Health
20 and Social Services deposits in the general fund. The annual esti-
21 mated balance in the account may be used by the legislature to make
22 appropriations to the department.

23 Sec. 44.29.024. FEES FOR SERVICES OF CONTRACTORS OR GRANTEES.
24 (a) The commissioner of health and social services may establish by
25 regulation a schedule of reasonable fees for services provided by a
26 contractor or grantee of the Department of Health and Social Services
27 under AS 18 or AS 47. The fee established for a service may not
28 exceed the actual cost of providing the service. The commissioner may
29 define or establish the "actual cost of providing a service" by

1 regulation.

2 (b) The Department of Health and Social Services may require the
3 recipient of a grant or a contractor under a grant to charge the fees
4 established under (a) of this section for services provided by the
5 recipient or contractor and to use the fees collected for the program
6 providing the services.

7 * Sec. 66. AS 44.33.020 is amended by adding new paragraphs to read:

8 (28) sell at cost, to the extent possible, publications and
9 promotional materials developed by the department;

10 (29) as delegated by the governor, administer under 16
11 U.S.C. 1856 the internal waters foreign processing permit procedures
12 and collect related fees.

13 * Sec. 67. AS 44.33 is amended by adding a new section to read:

14 Sec. 44.33.022. ACCOUNTING AND DISPOSITION OF FEES. The commis-
15 sioner of administration shall separately account for fees collected
16 under AS 44.33.020(25), (28) and (29), respectively, that the Depart-
17 ment of Commerce and Economic Development deposits in the general
18 fund. The annual estimated balance in each account may be used by the
19 legislature to make appropriations to the department to finance the
20 programs from which the receipts are derived.

21 * Sec. 68. AS 44.33.120 is amended by adding a new subsection to read:

22 (c) The commissioner of administration shall separately account
23 for money that derives from the sale of pamphlets, brochures, and
24 other graphic and pictorial materials under this section and AS 44.-
25 33.020(28) and that the division of tourism deposits in the general
26 fund. The annual estimated balance in the account may be used by the
27 legislature to make appropriations to the Department of Commerce and
28 Economic Development to cover related costs of the division of tour-
29 ism.

1 * Sec. 69. AS 44.37.025(b) is amended to read:

2 (b) The department shall engage and compensate recorders and
3 deputy recorders, prescribe and account for recording fees, and do all
4 other things necessary to maintain the recording system established
5 under the laws of this state. The commissioner of administration
6 shall separately account for fees collected under this section that
7 the Department of Natural Resources deposits in the general fund. The
8 annual estimated balance in the account may be used by the legislature
9 to make appropriations to the department to carry out the purposes of
10 this section.

11 * Sec. 70. AS 44.41.020 is amended to read:

12 Sec. 44.41.020. DUTIES OF DEPARTMENT. The Department of Public
13 Safety shall administer functions relative to the protection of life
14 and property. The department may enter into agreements with nonprofit
15 organizations and federal and local government agencies to train
16 personnel of those agencies in the protection of life and property.
17 The commissioner of administration shall separately account for train-
18 ing fees received under training agreements and that the department
19 deposits in the general fund. The annual estimated balance in the
20 account may be used by the legislature to make appropriations to the
21 department to carry out the purposes of this section.

22 * Sec. 71. AS 44.41.020 is amended by adding a new subsection to read:

23 (b) The department may enter into agreements with federal and
24 local government agencies to provide a statewide criminal justice
25 information system. Reasonable fees may be charged by the department
26 to cover the costs of providing services under these agreements,
27 including maintenance of terminal hardware and network connect char-
28 ges. The commissioner of administration shall separately account for
29 the criminal justice information system fees that the Department of

1 Public Safety deposits in the general fund. The annual estimated bal-
2 ance in the account may be used by the legislature to make appropria-
3 tions to the department to carry out the purposes of this section.

4 * Sec. 72. AS 44.41 is amended by adding a new section to read:

5 Sec. 44.41.025. FEES FOR FINGERPRINT INFORMATION. The commis-
6 sioner of public safety may establish by regulation and the Department
7 of Public Safety may charge a reasonable fee to be paid by a person
8 requesting information from the Alaska automated fingerprint system.
9 The commissioner of administration shall separately account for fees
10 collected under this subsection that the Department of Public Safety
11 deposits in the general fund. The annual estimated balance in the
12 account may be used by the legislature to make appropriations to the
13 department to carry out the purposes of this section.

14 * Sec. 73. AS 44.42.020(b) is amended to read:

15 (b) The department may

16 (1) engage in experimental projects relating to available
17 or future modes of transportation and any means of improving existing
18 transportation facilities and service;

19 (2) exercise the power of eminent domain, including the
20 declaration of taking as provided in AS 09.55;

21 (3) publish plans, schedules, directories, guides, and man-
22 uals for distribution, with or without charge, to private or public
23 entities or persons.

24 * Sec. 74. AS 44.42 is amended by adding a new section to read:

25 Sec. 44.42.025. ACCOUNTING AND DISPOSITION OF RECEIPTS. The
26 commissioner of administration shall separately account for money that
27 derives from the sale of documents under AS 44.42.020(b)(3) and that
28 the Department of Transportation and Public Facilities deposits in the
29 general fund. The annual estimated balance in the account may be used

1 by the legislature to make appropriations to the department to carry
2 out the purposes of AS 44.42.020.

3 * Sec. 75. AS 44.47 is amended by adding a new section to read:

4 Sec. 44.47.055. FEES FOR PUBLICATIONS AND RESEARCH DATA. The
5 commissioner may establish by regulation and the department may charge
6 reasonable fees for department publications and research data to cover
7 the cost of reproduction, printing, mailing, and distribution. The
8 commissioner of administration shall separately account for fees
9 collected under this section that the department deposits in the
10 general fund. The annual estimated balance in the account may be used
11 by the legislature to make appropriations to the department to carry
12 out the purposes of this section.

13 * Sec. 76. AS 44.62.175(d) is amended to read:

14 (d) The lieutenant governor shall sell individual copies of and
15 subscriptions to the journal at a price reasonably calculated to
16 offset the cost of publication and distribution. The commissioner of
17 administration shall separately account for money collected under this
18 subsection that the lieutenant governor deposits in the general fund.
19 The annual estimated balance in the account may be used by the legis-
20 lature to make appropriations to the office of the lieutenant governor
21 to carry out the purposes of this section.

22 * Sec. 77. AS 44.74.010 is amended to read:

23 Sec. 44.74.010. WORKING CAPITAL FUND. The highways equipment
24 [A] working capital fund is established as an intragovernmental ser-
25 vice fund [IN THE STATE TREASURY] for the use of the Department of
26 Transportation and Public Facilities.

27 * Sec. 78. AS 44.74.020 is amended to read:

28 Sec. 44.74.020. USE OF FUND. The Department of Transportation
29 and Public Facilities [DEPARTMENT] shall use the highways equipment

1 working capital fund for necessary expenses resulting from the cen-
2 tralization of equipment maintenance and for the operation of supply
3 depots. The annual estimated balance in the fund may be used by the
4 legislature to make appropriations to the department to carry out the
5 purposes of this section.

6 * Sec. 79. AS 44.83.195 is amended by adding a new subsection to read:

7 (c) The commissioner of administration shall separately account
8 for money collected under (a) of this section that the authority
9 deposits in the general fund. The annual estimated balance in the
10 account may be used by the legislature to make appropriations to the
11 authority to cover the cost of project operations.

12 * Sec. 80. AS 45.09 is amended by adding a new section to article 4 to
13 read:

14 Sec. 45.09.409. ACCOUNTING AND DISPOSITION OF FEES. The commis-
15 sioner of administration shall separately account for fees charged
16 under AS 45.09.401 - 45.09.408 that the Department of Natural Re-
17 sources deposits in the general fund. The annual estimated balance in
18 the account may be used by the legislature to make appropriations to
19 the department to carry out the purposes of AS 45.09.401 - 45.09.408.

20 * Sec. 81. AS 45.55 is amended by adding a new section to read:

21 Sec. 45.55.265. ACCOUNTING AND DISPOSITION OF FEES. The commis-
22 sioner of administration shall separately account for all fees col-
23 lected under this chapter that the Department of Commerce and Economic
24 Development deposits in the general fund. The annual estimated bal-
25 ance in the account may be used by the legislature to make appropria-
26 tions to the department to carry out the purposes of this chapter.

27 * Sec. 82. AS 46.03.020 is amended by adding a new paragraph to read:

28 (12) deposit environmental service fees into an account in
29 the general fund.

1 * Sec. 83. AS 46.03 is amended by adding a new section to read:

2 Sec. 46.03.025. ACCOUNTING AND DISPOSITION OF FEES. The commis-
3 sioner of administration shall separately account for environmental
4 service fees collected under AS 46.03.020(12) that the department
5 deposits in the general fund. The annual estimated balance in the
6 account may be used by the legislature to make appropriations to the
7 department to carry out the purposes of

8 (1) seafood processor permits under AS 03.05;

9 (2) food service and bar permits under AS 18.35;

10 (3) drinking water plan review, air quality permits, haz-
11 ardous waste clean-up, on-site fees, wastewater disposal permits,
12 subdivision approval, oil pollution control plan approval and applica-
13 tions, and water and wastewater operator training under this title.

14 * Sec. 84. AS 47.10.120(a) is amended to read.

15 (a) When a child in need of aid or a delinquent minor is
16 committed under this chapter, the court shall [MAY], after giving the
17 parent or legal guardian a reasonable opportunity to be heard, adjudge
18 that the parent or guardian [SHALL] pay to the department in a manner
19 that [WHICH] the court directs a sum that is based on the fee schedule
20 adopted under AS 44.29.022 to [WHICH WILL] cover in full or in part
21 the maintenance and care [SUPPORT] of the child or [IN NEED OF AID.
22 WHEN A DELINQUENT MINOR IS COMMITTED UNDER THIS CHAPTER, THE COURT
23 SHALL ORDER THAT THE PARENT OF THE MINOR PAY IN A MANNER WHICH THE
24 COURT DIRECTS A SUM WHICH WILL COVER IN FULL OR IN PART THE SUPPORT OF
25 THE DELINQUENT] minor.

26 * Sec. 85. AS 47.10.120 is amended by adding a new subsection to read:

27 (d) The commissioner of administration shall separately account
28 for support fees collected under this section that the Department of
29 Health and Social Services deposits in the general fund. The annual

1 estimated balance in the account may be used by the legislature to
2 make appropriations to the department to carry out the purposes of
3 this section.

4 * Sec. 86. AS 47.10.230(c) is amended to read:

5 (c) The department may receive, care for, and make appropriate
6 placement of minors accepted for care for a period of up to six months
7 on the basis of an individual voluntary written agreement between the
8 minor's parent, legal guardian, or other person having legal custody
9 and the department. The agreement must [MAY] include provisions for
10 payment of fees under AS 44.29.022 [, IN WHOLE OR IN PART,] to the
11 department for the minor's care and treatment. The agreement entered
12 into may [SHALL] not [OPERATE TO] prohibit a minor's parent, legal
13 guardian, or other person who had legal custody from regaining care of
14 the minor at any time.

15 * Sec. 87. AS 47.10.290(1) is amended to read:

16 (1) "care" or "caring" under AS 47.10.010(a)(2)(A), 47.10.-
17 120(a) and 47.10.230(c), means to provide for the physical, emotional,
18 mental, and social needs of the child;

19 * Sec. 88. AS 47.10.290 is amended by adding a new paragraph to read:

20 (8) "department" means the Department of Health and Social
21 Services.

22 * Sec. 89. AS 47.23 is amended by adding a new section to read:

23 Sec. 47.23.125. ACCOUNTING AND DISPOSITION OF FEDERAL RECEIPTS
24 AND AGENCY COLLECTIONS. (a) Federal incentive payments received by
25 the state under 42 U.S.C. 658 shall be deposited in the general fund
26 and the commissioner of administration shall separately account for
27 the payments. The annual estimated balance in the account may be used
28 by the legislature to make appropriations to the Department of Revenue
29 to carry out the purposes of AS 47.23.020.

1 (b) The commissioner of administration shall separately account
2 for the state share of payments made by obligors under AS 47.23.120
3 that the agency collects and deposits in the general fund. The annual
4 estimated balance in the account may be used by the legislature to
5 make appropriations to the Department of Health and Social Services to
6 carry out the purposes of AS 47.10.230 - 47.10.260 and AS 47.25.310 -
7 47.25.420.

8 * Sec. 90. AS 47.25.030 is amended by adding a new subsection to read:

9 (e) The commissioner of administration shall separately account
10 for money received under this section and deposited in the general
11 fund. The annual estimated balance in the account may be used by the
12 legislature to make appropriations to the Department of Administration
13 to carry out the purposes of this section.

14 * Sec. 91. AS 47.30.910 is amended by adding a new subsection to read:

15 (g) The commissioner of administration shall separately account
16 for medical care and treatment fees collected under this section that
17 the department deposits in the general fund. The annual estimated
18 balance in the account may be used by the legislature to make appro-
19 priations to the department to carry out the purposes of this section.

20 * Sec. 92. AS 47.80.150(a) is amended to read:

21 (a) A person with a handicap or the person's legal representa-
22 tive acting in a representative capacity, [OR] the person's spouse, or
23 the person's parents if the person is a minor, shall pay or contribute
24 to the payment of the charges for the care or treatment in accordance
25 with the fee schedule adopted under AS 44.29.022 [THE MANNER AND
26 PROPORTION WHICH THE DEPARTMENT FINDS IS NOT DETRIMENTAL TO REHABILI-
27 TATION AND WHICH IS WITHIN THE RESPONSIBLE PERSON'S ABILITY TO PAY.
28 THE CHARGES MAY NOT EXCEED THE ACTUAL COST OF THE CARE OR TREATMENT AS
29 DETERMINED BY THE DEPARTMENT]. The order of the department relating

1 to the payment of charges shall be prospective in effect and may
2 [SHALL] relate only to charges to be incurred, except that if a person
3 intentionally conceals ability to pay, the person shall be ordered to
4 pay to the extent of the person's ability to pay the charges accruing
5 during the period of the concealment. The order of the department
6 relating to the payment of charges by the person with a handicap or
7 the person's legal representative, or the person's spouse or parents,
8 shall be issued within six months of the date on which the charge was
9 incurred. The department may make necessary investigations to deter-
10 mine the ability to pay. The order shall remain in full force and
11 effect unless modified by subsequent court or department orders.

12 * Sec. 93. AS 47.80.150(b) is amended to read:

13 (b) As used in (a) of this section, the term "actual cost of the
14 care and treatment" means the lesser of (1) [EITHER] the rate provided
15 for by a contract entered into under this chapter, (2) the fee estab-
16 lished under AS 44.29.022 for services provided under this chapter or,
17 (3) if the person is under the age of 18, the cost of care of a person
18 of the same age who is not a person with a handicap and who resides
19 with a parent or guardian [IN THE ABSENCE OF A CONTRACT, A DAILY RATE
20 FIXED BY THE DEPARTMENT], and includes expenses of transportation
21 incidental to treatment and carrying out the intent of this chapter.
22 In establishing fees for services under this chapter, the commissioner
23 shall consider the income and family size of the responsible party,
24 age of the person receiving the services, and other factors that
25 relate to the ability to pay. Fees may not exceed the actual cost of
26 the care or treatment.

27 * Sec. 94. AS 47.80.150(e) is amended to read:

28 (e) All money paid to the department by the person with a handi-
29 cap or on the person's behalf, under this section, shall be deposited

1 in the general fund [STATE TREASURY].

2 * Sec. 95. AS 47.80.150(f) is amended to read:

3 (f) If an order of payment is entered by the department under
4 this section and delinquency in the payment of any amount due the
5 state under the order continues for a period of more than 30 days
6 after the notification by the department to the person, the legal
7 representative, parent, or spouse of the person with a handicap, the
8 state may proceed to collect the amounts due by appropriate proceed-
9 ings. Actions to enforce the collection of payments may only be
10 brought within three years after the date of notification of a delin-
11 quent payment.

12 * Sec. 96. AS 47.80.150 is amended by adding a new subsection to read:

13 (g) The commissioner of administration shall separately account
14 for medical care and treatment fees collected under this section that
15 the department deposits in the general fund. The annual estimated
16 balance in the account may be used by the legislature to make appro-
17 priations to the department to carry out the purposes of this chapter.

18 * Sec. 97. AS 47.80.150(c) is repealed.

19 * Sec. 98. In preparing the governor's budget for fiscal year 1988,
20 proposed general fund appropriations that are based on estimated program
21 receipts under this Act shall be identified as "general fund/program re-
22 ceipts" to distinguish them from other general fund appropriations.

23 * Sec. 99. Except for sec. 1 of this Act, this Act takes effect July 1,
24 1986.

25 * Sec. 100. Section 1 of this Act takes effect July 1, 1987.