

CSHB

263

SENATE COMMITTEE REPORT

FURTHER:

5/16/87

DATE TURNED INTO OFFICE 5/19/87

Mr. President:

FINANCE

Committee considered CSHB 263(Fin)

financial administration of state government; the provision of and charges for state services; accounting for and disposition of state receipts; efd.

and recommended:

replace with Senate CS FOR CSHB 263(FIN) same title
 or adopt _____ CS FOR _____ new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous

zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]
[Signature]

[Signature]

[Signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 263 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the financial administration of
7 state government; the provision of and charges for
8 state services; accounting for and disposition of
9 state receipts; and providing for an effective date."

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

11 * Section 1. AS 01.10.060 is amended by adding a new paragraph to read:

12 (15) "program receipts" means fees, charges, income earned
13 on assets, and other state money received by a state agency in connec-
14 tion with the performance of its functions; all program receipts
15 except the following are general fund program receipts:

16 (A) federal receipts;

17 (B) receipts of the following intergovernmental ser-
18 vice funds:

19 (i) highway working capital fund (AS 44.74.010);

20 (ii) correctional industries fund (AS 33.32.020);

21 (C) receipts of the following enterprise funds:

22 (i) loan funds;

23 (ii) international airport revenue fund (AS 37.-
24 15.430);

25 (iii) funds managed by the Alaska Housing Finance
26 Corporation (AS 18.56.020), the Alaska Industrial Develop-
27 ment Authority (AS 44.88.020), or the Municipal Bond Bank
28 Authority (AS 44.85.020);

29 (D) University of Alaska receipts (AS 14.40.490);

- 1 (E) receipts of the following special revenue funds:
2 (i) fish and game fund (AS 16.05.100);
3 (ii) school fund (AS 43.50.140);
4 (iii) training and building fund (AS 23.20.130);
5 (F) receipts of the following trust funds:
6 (i) retirement funds (AS 14.25, AS 22.25, AS 26.-
7 05.222, AS 39.35, and former AS 39.37);
8 (ii) permanent fund (art. IX, sec. 15, Alaska
9 Constitution);
10 (iii) public school fund (AS 37.14.110);
11 (iv) second injury fund (AS 23.30.040);
12 (v) fishermen's fund (AS 23.35.060).

13 * Sec. 2. AS 02.15.090(a) is amended to read:

14 (a) [STATE OPERATION.] In operating an airport or air naviga-
15 tion facility owned or controlled by the state, the department may
16 enter into contracts, leases, and other arrangements covering periods
17 not exceeding 55 years with a person or municipality or the United
18 States, granting the privilege of using or improving an airport or air
19 navigation facility or a portion of it or space in it for commercial,
20 [OR] governmental, or other purposes; or conferring the privilege of
21 supplying goods, commodities, services, or facilities at an airport or
22 air navigation facility. The department may establish the terms and
23 conditions and fix the charges, rentals, and fees for the privileges
24 or services that [, WHICH] are reasonable and uniform for the same
25 class of privilege or service. These terms, conditions, charges,
26 rentals, and fees shall be established with due regard to the property
27 and improvements used and the expense of operation to the state. In
28 no case shall the public be deprived of its rightful, equal, and
29 uniform use of the airport, air navigation facility, or a portion of

1 them [THEREOF].

2 * Sec. 3. AS 02.15.090 is amended by adding a new subsection to read:

3 (c) The commissioner of administration shall separately account
4 for charges, rentals, and fees collected under this section and depos-
5 ited in the general fund. The annual estimated balance in the account
6 may be used by the legislature to make appropriations to the depart-
7 ment to carry out the purposes of this chapter.

8 * Sec. 4. AS 02.15.102 is amended to read:

9 Sec. 02.15.102. USE OF AIRPORTS FOR UTILITIES. A utility facil-
10 ity may be constructed, placed, or maintained across, along, over,
11 under, or within a state airport only in accordance with regulations
12 adopted or procedures prescribed by the department and only if au-
13 thorized by a written permit issued by the department. The department
14 may charge a fee for a permit issued under this section. The commis-
15 sioner of administration shall separately account for utility permit
16 fees that the department deposits in the general fund. The annual
17 estimated balance in the account may be used by the legislature to
18 make appropriations to the department to carry out the purposes of
19 this chapter.

20 * Sec. 5. AS 02.15.106 is amended to read:

21 Sec. 02.15.106. ENCROACHMENT PERMITS. An encroachment may be
22 constructed, placed, changed, or maintained across or within an air-
23 port, but only in accordance with regulations or procedures adopted by
24 the department. An encroachment may not be constructed, placed,
25 maintained, or changed until it is authorized by a written permit
26 issued by the department, unless the department provides otherwise by
27 regulation. The department may charge a fee for a permit issued under
28 this section. The commissioner of administration shall separately
29 account for encroachment permit fees that the department deposits in

1 the general fund. The annual estimated balance in the account may be
2 used by the legislature to make appropriations to the department to
3 carry out the purposes of this chapter.

4 * Sec. 6. AS 03.10.040 is amended by adding a new subsection to read:

5 (b) Money in the fund may be used by the legislature to make
6 appropriations for costs of administering this chapter.

7 * Sec. 7. AS 03.12.040 is amended by adding a new subsection to read:

8 (b) Money in the fund may be used by the legislature to make
9 appropriations for costs of administering this chapter.

10 * Sec. 8. AS 04.11.270 is amended by adding a new subsection to read:

11 (c) The commissioner of administration shall separately account
12 for all application fees collected under this section that the depart-
13 ment deposits in the general fund. The annual estimated balance in
14 the account may be used by the legislature to make appropriations to
15 the department to carry out the purposes of AS 04.06.

16 * Sec. 9. AS 06.01.010 is amended to read:

17 Sec. 06.01.010. EXAMINATION FEES AND ASSESSMENTS. (a) The
18 expenses of the department reasonably incurred in the examination or
19 investigation of all financial institutions or applications to estab-
20 lish financial institutions regulated by the department under this
21 title shall be charged to and paid by each financial institution as
22 provided in (b) and (d) of this section.

23 (b) Except for deposit institutions, the [THE] commissioner
24 shall assess every financial institution [,] and every applicant to
25 establish a financial institution [,] a fee for the actual expenses
26 incurred by the department in connection with any examination or
27 investigation, whether regular or special. The commissioner shall
28 assess every deposit institution and every applicant to establish a
29 deposit institution a fee for the actual expenses incurred by the

1 department in connection with any special examination or investiga-
2 tion. A [THE] fee assessed under this subsection must [SHALL] include
3 the proportionate part of the salaries and cost of employee benefits
4 of the examiners while conducting examinations or investigations and
5 while preparing reports of them, and transportation costs and per diem
6 of each examiner while away from the examiner's [HIS] duty station.
7 [HOWEVER, THE COST TO THE FINANCIAL INSTITUTION IN CONNECTION WITH AN
8 EXAMINATION MAY NOT EXCEED \$7,500 PER EXAMINATION.] The assessment
9 shall be made by the commissioner as soon as feasible after the exam-
10 ination or investigation has been completed. The assessment must [ALL
11 ASSESSMENTS SHALL] be [PAID TO AND] received by the department [BY
12 EACH INSTITUTION] within 30 days after receipt of notice of the asses-
13 sment by the institution.

14 (c) A [ANY] financial institution that [WHICH] fails to make the
15 payments required by the commissioner under (a), [AND] (b), and (d) of
16 this section within the time specified is subject to a penalty of not
17 more than \$100 each day it is late. The penalty, together with the
18 amount due [UNDER (a) OF THIS SECTION], may be recovered in a civil
19 action brought by the department.

20 * Sec. 10. AS 06.01.010 is amended by adding new subsections to read:

21 (d) The commissioner shall adopt regulations providing for
22 semiannual assessments of deposit institutions. An assessment must be
23 based on the amount of assets of a deposit institution and must cover
24 the aggregate cost of periodic examinations of the deposit institu-
25 tion.

26 (e) In this section "deposit institution" means an institution
27 chartered under this title that has obtained authority from the de-
28 partment to receive deposits of the type eligible to be insured by an
29 agency of the federal government.

1 * Sec. 11. AS 09.25 is amended by adding a new section to read:

2 Sec. 09.25.123. ACCOUNTING FOR AND DISPOSITION OF FEES. The
3 commissioner of administration shall separately account for all fees
4 collected under AS 09.25.110 and 09.25.120 that state agencies deposit
5 in the general fund. The annual estimated balance in the accounts may
6 be used by the legislature to make appropriations to the agencies to
7 carry out their respective functions.

8 * Sec. 12. AS 10.05.039(a) is amended to read:

9 (a) The fee for registration of a corporate name shall be estab-
10 lished by the department by regulation [SUBJECT TO AS 10.05.773].

11 * Sec. 13. AS 10.05.042 is amended to read:

12 Sec. 10.05.042. RENEWAL OF REGISTERED NAME. A corporation that
13 [WHICH] has registered its corporate name may renew the registration
14 from year to year by filing an application for renewal each year
15 setting out the facts required in an original application for regis-
16 tration and a certificate of good standing required for an original
17 registration and by paying a fee established by the department by
18 regulation [SUBJECT TO AS 10.05.773]. An application for renewal may
19 be filed between October 1 and December 31 in each year. The renewal
20 of the registration extends the registration for the following calen-
21 dar year.

22 * Sec. 14. AS 10.05.057(b) is amended to read:

23 (b) Whenever a corporation fails to appoint or maintain a regis-
24 tered agent in the state, or whenever its registered agent cannot,
25 with reasonable diligence, be found at the registered office, the
26 commissioner is an agent of the corporation upon whom the process,
27 notice, or demand may be served. Service is made upon the commis-
28 sioner as agent by leaving with the commissioner, or with a clerk
29 having charge of the corporation division of the commissioner's

1 office, duplicate copies of the process, notice, or demand. Service
2 upon the commissioner must be accompanied by a fee established by the
3 department by regulation [OF \$10]. When process, notice, or demand is
4 served on the commissioner, the commissioner shall immediately forward
5 a copy of it by registered mail to the corporation at its registered
6 office. Service on the commissioner is returnable in not less than 30
7 days.

8 * Sec. 15. AS 10.05.708(a) is amended to read:

9 (a) A domestic or foreign corporation that [WHICH] is required
10 by law to file articles of incorporation with the department, except
11 corporations organized under AS 10.20 and foreign corporations or-
12 ganized under the laws of the United States or the laws of a state or
13 territory of the United States or the laws of a foreign country for
14 the same purposes as those allowed under AS 10.20, shall pay to the
15 commissioner a filing fee established by the department by regulation.
16 [THE FILING FEE SHALL BE BASED ON THE AMOUNT OF AUTHORIZED CAPITAL
17 STOCK OF THE CORPORATION. HOWEVER, AN INCREASE IN THE AMOUNT OF A
18 FILING FEE UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

19 * Sec. 16. AS 10.05.711(a) is amended to read:

20 (a) A domestic or foreign corporation, except a corporation
21 [CORPORATIONS] organized under AS 10.20 or a [AND] foreign corporation
22 [CORPORATIONS] organized under the laws of the United States or the
23 laws of a state or territory of the United States or the laws of a
24 foreign country for the same purposes as those allowed under AS 10.20,
25 filing amendatory or supplemental articles of incorporation, or a
26 certificate [CERTIFICATES] of increase or decrease of capital stock
27 with the department, shall pay to the commissioner

28 [(1) FOR FILING AMENDATORY OR SUPPLEMENTAL ARTICLES WHICH
29 DO NOT INCREASE CAPITAL STOCK, OR FOR FILING A CERTIFICATE OF DECREASE

1 OF CAPITAL STOCK,] a fee established by the department by regulation
2 [SUBJECT TO AS 10.05.773;

3 (2) FOR FILING AMENDATORY OR SUPPLEMENTAL ARTICLES THAT
4 INCREASE THE CAPITAL STOCK, OR FOR FILING A CERTIFICATE OF INCREASE OF
5 CAPITAL STOCK, A FEE ESTABLISHED BY THE DEPARTMENT BY REGULATION
6 SUBJECT TO AS 10.05.773 BASED ON THE AMOUNT OF CHANGE IN THE AUTHO-
7 RIZED STOCK OF THE CORPORATION].

8 * Sec. 17. AS 10.05.714 is amended to read:

9 Sec. 10.05.714. FEES ON APPOINTMENT OR REVOCATION OF APPOINT-
10 MENT OF PROCESS AGENT. (a) A foreign corporation filing with the
11 department a certificate of the appointment and consent of the agent
12 residing in the state, or a certificate of revocation of the appoint-
13 ment of the resident agent shall pay a fee to the commissioner estab-
14 lished by the department by regulation [SUBJECT TO AS 10.05.773].

15 (b) For filing a statement, mentioned in AS 10.05.054(a) and
16 (b), of change of address of registered agent, the agent shall pay a
17 fee to the commissioner established by the department by regulation
18 [SUBJECT TO AS 10.05.773].

19 * Sec. 18. AS 10.05.720 is amended to read:

20 Sec. 10.05.720. FAILURE TO PAY TAX OR MAKE REPORT AS PRECLUDING
21 SUIT BY CORPORATION AND CERTIFICATE OF PAYMENT OR FILING AS EVIDENCE.
22 A [NO] domestic or foreign corporation may not commence or maintain a
23 suit, action, or proceeding in a court in the state without alleging
24 and proving that it has paid its biennial corporation tax last due and
25 has filed its biennial report for the last reporting period. A cer-
26 tificate of the payment of the biennial corporation tax and filing of
27 the biennial report is prima facie evidence of the payment of the tax
28 and the filing of the biennial report. The commissioner shall issue
29 the certificate or a duplicate for a fee established by the department

1 by regulation [SUBJECT TO AS 10.05.773].

2 * Sec. 19. AS 10.05.747 is amended to read:

3 Sec. 10.05.747. OTHER FILING FEES. (a) The filing fee for an
4 instrument not otherwise provided for in this chapter shall be estab-
5 lished by the department by regulation [SUBJECT TO AS 10.05.773].

6 (b) The department may by regulation charge each corporation
7 subject to this chapter a fixed fee in place of the various fees
8 specified in this chapter, with the exception of AS 10.05.039, 10.05.-
9 708, and 10.05.711, and for routine administrative services rendered
10 to a corporation by the department. [AN INCREASE IN THE FIXED FEE
11 CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

12 * Sec. 20. AS 10.05.750 is amended to read:

13 Sec. 10.05.750 FEES AND PENALTIES PAYABLE ON WITHDRAWAL OF
14 FOREIGN CORPORATION. A registered foreign corporation may withdraw
15 from the state upon payment of all biennial corporation taxes and
16 penalties due at the time of desired withdrawal, and by filing with
17 the department a certificate of withdrawal, signed by its proper
18 officers and under its corporate seal. The fee for filing the certif-
19 icate with the department shall be established by the department by
20 regulation [SUBJECT TO AS 10.05.773].

21 * Sec. 21. AS 10.05.753 is amended to read:

22 Sec. 10.05.753. FEES ON DISSOLUTION OF DOMESTIC CORPORATION. A
23 domestic corporation shall pay to the commissioner for the use of the
24 state a fee established by the department by regulation [SUBJECT TO
25 AS 10.05.773] for filing the instruments mentioned in this chapter
26 providing for the dissolution of domestic corporations.

27 * Sec. 22. AS 10.05.756 is amended to read:

28 Sec. 10.05.756. TAXES, PENALTIES, AND FEES ON FILING CERTIFICATE
29 OF DISSOLUTION OF FOREIGN CORPORATION. A foreign corporation desiring

1 to file a certificate of dissolution from the state of its origin may
2 file the certificate, when signed by the proper state officer, under
3 seal, upon payment of all biennial corporation taxes and penalties due
4 at the time of dissolution. The filing fee [IN THE OFFICE OF THE
5 COMMISSIONER] shall be established by the department by regulation
6 [SUBJECT TO AS 10.05.773].

7 * Sec. 23. AS 10.05.762 is amended to read:

8 Sec. 10.05.762. FEES FOR CERTIFIED COPIES OF INSTRUMENTS. The
9 fee for furnishing a certified copy of any instrument shall be estab-
10 lished by the department by regulation [SUBJECT TO AS 10.05.773].

11 * Sec. 24. AS 10.15.255 is amended to read:

12 Sec. 10.15.255. TERMINATION OF FILED CONTRACT. When a contract
13 filed under AS 10.15.230 - 10.15.260 has been terminated in any
14 manner, the cooperative shall upon demand [,] give a statement of ter-
15 mination to the member party to the contract, who may file the state-
16 ment in the office of the precinct recorder where the contract was
17 originally filed. The precinct recorder shall stamp "expired" after
18 the name of the member in the alphabetical record. The fee for the
19 filing and stamping shall be established by the department by regu-
20 lation [SUBJECT TO AS 10.05.773].

21 * Sec. 25. AS 10.15.260 is amended to read:

22 Sec. 10.15.260. FILING OF LIST OF TERMINATED CONTRACTS. A
23 cooperative may file in the office of the precinct recorder where the
24 contract was originally filed a sworn list of the names of all persons
25 whose contracts have been terminated in a manner other than by expira-
26 tion of their term. The precinct recorder shall stamp "expired" after
27 the name of each of those persons in the alphabetical record. The fee
28 for the filing and stamping shall be established by the department by
29 regulation [SUBJECT TO AS 10.05.773].

1 * Sec. 26. AS 10.15.530 is amended to read:

2 Sec. 10.15.530. BIENNIAL LICENSE FEE. Each cooperative not
3 organized and operated for nonprofit religious, charitable, cemetery,
4 or educational purposes [,] shall pay to the department a biennial li-
5 cense fee. The fee shall be paid before July 2 of the reporting year.
6 [IN THE CASE OF NEW COOPERATIVES FORMED DURING A BIENNIAL PERIOD, THE
7 FEE SHALL BE PROPORTIONATE TO THE FRACTION OF THE BIENNIAL PERIOD.]

8 * Sec. 27. AS 10.15.545 is amended to read:

9 Sec. 10.15.545. LICENSE FEE FOR COOPERATIVE [WITHOUT CAPITAL
10 STOCK]. The license fee of each cooperative [HAVING NO AUTHORIZED
11 SHARES OF CAPITAL STOCK] shall be established by the department by
12 regulation [SUBJECT TO AS 10.05.773].

13 * Sec. 28. AS 10.15.555 is amended to read:

14 Sec. 10.15.555. MISCELLANEOUS FEES AND CHARGES. (a) The de-
15 partment shall establish by regulation [SUBJECT TO AS 10.05.773] and
16 charge and collect from a cooperative fees for filing

17 (1) articles of incorporation or articles of consolidation
18 for a new cooperative;

19 (2) articles of amendment, restated articles, or articles
20 of merger [, AND, IF THE ARTICLES PROVIDE FOR AN INCREASE OF THE
21 AMOUNT OF AUTHORIZED CAPITAL STOCK OF THE COOPERATIVE, THE FILING
22 COOPERATIVE SHALL ALSO PAY THE PROPORTIONATE PART OF THE ANNUAL LI-
23 CENSE FEE FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR, PAYABLE BY A
24 COOPERATIVE WHOSE AUTHORIZED SHARES EQUAL THE NEWLY INCREASED AUTHO-
25 RIZED SHARES OF THE FILING COOPERATIVE, LESS THE ANNUAL LICENSE FEE
26 ALREADY PAID FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR BY THE
27 FILING COOPERATIVE; BUT FILING ARTICLES DECREASING THE AUTHORIZED
28 SHARES DOES NOT REDUCE THE ANNUAL LICENSE FEE OF THE FILING COOPERA-
29 TIVE UNTIL THE BEGINNING OF THE FISCAL YEAR FOLLOWING THAT IN WHICH

1 THE ARTICLES WERE FILED];

2 (3) statement of intent to dissolve;

3 (4) statement of revocation of voluntary dissolution pro-
4 ceedings;

5 (5) articles of dissolution;

6 (6) all other statements.

7 (b) The department may by regulation charge each cooperative
8 corporation subject to this chapter a fixed fee in place of charging
9 cooperative corporations the various fees specified in this chapter,
10 with the exception of AS 10.15.535, (a)(1) of this section, and for
11 routine administrative services rendered to the cooperative corpora-
12 tion by the department. [AN INCREASE IN THE AMOUNT OF A FIXED FEE
13 CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

14 * Sec. 29. AS 10.20.635 is amended to read:

15 Sec. 10.20.635. FEES FOR FILING DOCUMENTS AND ISSUING CERTIFI-
16 CATES. (a) The commissioner shall establish by regulation [SUBJECT
17 TO AS 10.05.773], charge, and collect filing fees for

18 (1) [FILING] articles of incorporation and issuing a certi-
19 ficate of incorporation;

20 (2) [FILING] articles of amendment and issuing a certifi-
21 cate of amendment;

22 (3) [FILING] restated articles of incorporation and issuing
23 a restated certificate of incorporation;

24 (4) [FILING] articles of merger or consolidation and issu-
25 ing a certificate of merger or consolidation;

26 (5) [FILING] a statement of change of address of registered
27 office or change of registered agent, or both;

28 (6) [FILING] articles of dissolution;

29 (7) [FILING] an application of a foreign corporation for a

1 certificate of authority to conduct affairs in this state and issuing
2 a certificate of authority;

3 (8) [FILING] an application of a foreign corporation for an
4 amended certificate of authority to conduct affairs in this state and
5 issuing an amended certificate of authority;

6 (9) [FILING] a copy of an amendment to the articles of
7 incorporation of a foreign corporation holding a certificate of auth-
8 ority to conduct affairs in this state;

9 (10) [FILING] a copy of articles of merger of a foreign
10 corporation holding a certificate of authority to conduct affairs in
11 this state;

12 (11) [FILING] an application for withdrawal of a foreign
13 corporation and issuing a certificate of withdrawal;

14 (12) [FILING] any other statement or report, including a
15 biennial report, of a domestic or foreign corporation.

16 (b) The department may by regulation charge each corporation
17 subject to this chapter a fixed fee in place of the various fees
18 specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS
19 SECTION,] and for routine administrative services rendered to the
20 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED
21 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

22 * Sec. 30. AS 10.20.640 is amended to read:

23 Sec. 10.20.640. FEE FOR CERTIFIED COPIES OF INSTRUMENTS. The
24 fee for furnishing a certified copy of any instrument shall be estab-
25 lished by the department by regulation [SUBJECT TO AS 10.05.773].

26 * Sec. 31. AS 10.25.530(a) is amended to read:

27 (a) The commissioner shall establish by regulation [SUBJECT TO
28 AS 10.05.773], charge, and collect [FILING] fees for

29 (1) filing articles of incorporation;

- 1 (2) filing articles of amendment;
- 2 (3) filing articles of consolidation or merger;
- 3 (4) filing articles of conversion;
- 4 (5) filing certificate of election to dissolve;
- 5 (6) filing articles of dissolution;
- 6 (7) filing certificate of change of principal office and
7 designation or change of registered office and registered agent; and
- 8 (8) acting as agent for service of process.

9 * Sec. 32. AS 10.25.530(b) is amended to read:

10 (b) The department may by regulation charge each cooperative
11 subject to this chapter a fixed fee in place of the various fees
12 specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS
13 SECTION,] and for the routine administrative services rendered to the
14 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED
15 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

16 * Sec. 33. AS 10.35.060 is amended to read:

17 Sec. 10.35.060. FEE FOR AND DURATION OF REGISTERED NAME. The
18 fee for the initial registration of a business name shall be estab-
19 lished by the department by regulation [SUBJECT TO AS 10.05.773]. The
20 year in which the registration becomes effective is considered a full
21 year of registration and the registration is effective until the close
22 of the fifth calendar year beginning with the year of initial regis-
23 tration.

24 * Sec. 34. AS 10.35.070 is amended to read:

25 Sec. 10.35.070. RENEWAL OF REGISTERED NAME. A registered busi-
26 ness name may be renewed every five years if an application for re-
27 newal is filed. An application for renewal must set out the facts
28 required in an original application for registration and be accom-
29 panied by a renewal fee to be established by the department by

1 regulation [SUBJECT TO AS 10.05.773]. An application for renewal may
2 be filed between October 1 and December 31 of any year. The renewal
3 of the registration extends the registration for the following five
4 calendar years.

5 * Sec. 35. AS 10.40.140(a) is amended to read:

6 (a) A [ANY] document required to be filed with the commissioner
7 under this chapter shall be accompanied by a fee to be established by
8 the department by regulation [SUBJECT TO AS 10.05.773].

9 * Sec. 36. AS 12.55.105(a) is amended to read:

10 Sec. 12.55.105. PROBATION AND URINALYSIS FEES [FEE]. (a) A
11 court granting probation shall require a periodic probation fee to be
12 paid to the Department of Corrections as a condition of probation. In
13 addition, the department may charge a fee for any urinalysis that may
14 be required. The fee amounts [AMOUNT] shall be established by regu-
15 lation adopted by the commissioner of corrections.

16 * Sec. 37. AS 14.07.030 is amended to read:

17 Sec. 14.07.030. POWERS OF THE DEPARTMENT. The department may
18 (1) establish, maintain, govern, operate, discontinue, and
19 combine area, regional, and special schools;
20 (2) enter into contractual agreements with the Bureau of
21 Indian Affairs or with a school district to share boarding costs of
22 secondary school students;
23 (3) provide for citizenship night schools when and where
24 expedient;
25 (4) provide for the sale or other disposition of abandoned
26 or obsolete buildings and other state-owned school property;
27 (5) prescribe a classification for items of expense of
28 school districts;
29 (6) acquire and transfer personal property, acquire real

1 property, and transfer real property to federal agencies, state
2 agencies, or to political subdivisions;

3 (7) enter into contractual agreements with school districts
4 to provide more efficient or economical education services; reasonable
5 fees may be charged by the department to cover the costs of providing
6 services under an agreement, including costs for professional ser-
7 vices, reproduction or printing, and mailing and distribution of
8 educational materials;

9 (8) provide for the issuance of elementary and secondary
10 diplomas to persons not in school who have completed the equivalent of
11 an 8th or 12th grade education, respectively, in accordance with
12 standards established by the department;

13 (9) exercise disapproval power under AS 14.08.101;

14 (10) apply for, accept, and spend endowments, grants, and
15 other private money available to the state for educational purposes in
16 accordance with AS 37.07 (the Executive Budget Act);

17 (11) set student tuition and fees for educational programs
18 and services provided and schools operated by the department under the
19 provisions of [AS 14.07.020(12) AND] (1) of this section and AS 14.-
20 07.020(9), (11), and (12);

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

24 * Sec. 38. AS 14.56.030(10) is amended to read:

25 (10) establishing and charging fees for reproduction, [OR]
26 printing, and handling costs, [AND] for mailing and distributing state
27 publications and research data, and for other services authorized by
28 this chapter.

29 * Sec. 39. AS 14.56.035 is amended to read:

1 Sec. 14.56.035. ACCOUNTING FOR AND DISPOSITION OF FEES. The
2 commissioner of administration shall separately account for [PUBLICA-
3 TION AND DISTRIBUTION] fees received under AS 14.56.030(10) [AND] that
4 the department deposits in the general fund. The annual estimated
5 balance in the account may be used by the legislature to make appro-
6 priations to the department to carry out the purposes of AS 14.56.030.

7 * Sec. 40. AS 14.57.010 is amended by adding a new subsection to read:

8 (c) The department may establish by regulation, and collect,
9 reasonable user fees and other fees for services provided by the
10 department under AS 14.57.

11 * Sec. 41. AS 14.57.015 is amended to read:

12 Sec. 14.57.015. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
13 commissioner of administration shall separately account for each
14 endowment, [OR] grant, or gift from a private donor received under
15 AS 14.57.010(b)(4), and for fees collected under AS 14.57.010(c), and
16 deposited by the department in the general fund. The annual estimated
17 balance in the account may be used by the legislature to make appro-
18 priations to the department to carry out the purposes of AS 14.57.010.

19 * Sec. 42. AS 15.62 is amended by adding a new section to read:

20 Sec. 15.62.020. VOTER REGISTRATION AND ELECTION MANAGEMENT
21 SYSTEM RECEIPTS. (a) The director may sell voter registration and
22 election management system data processing software. Receipts gen-
23 erated through the sales shall be deposited in the general fund.

24 (b) The commissioner of administration shall separately account
25 for all money collected through sales under (a) of this section that
26 the department deposits in the general fund. The annual estimated
27 balance in the account may be used by the legislature to make appro-
28 priations to the division of elections to carry out its responsibil-
29 ities in connection with the voter registration and election manage-

1 ment system.

2 * Sec. 43. AS 16.05.050 is amended by adding a new paragraph to read:

3 (17) to operate state housing for employees and contractors
4 in support of the department's responsibilities and to charge rent
5 that is consistent with an applicable collective bargaining agreement;
6 rent received from tenants shall be deposited in the general fund.

7 * Sec. 44. AS 16.05.053 is amended to read:

8 Sec. 16.05.053. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
9 commissioner of administration shall separately account for money
10 collected under AS 16.05.050(4), (15), [AND] (16), and (17) [AND] that
11 the department deposits in the general fund. The annual estimated
12 balance in each account may be used by the legislature to make appro-
13 priations to the department to carry out the activities for which fees
14 have been charged or for which the money was collected.

15 * Sec. 45. AS 16.10.310(a)(3) is amended to read:

16 (3) adopt regulations necessary to carry out the provisions
17 of AS 16.10.300 - 16.10.370, including regulations to establish rea-
18 sonable fees for services provided [ITS FUNCTIONS];

19 * Sec. 46. AS 16.10.310(a) is amended by adding a new paragraph to
20 read:

21 (9) charge and collect the fees established under this
22 subsection.

23 * Sec. 47. AS 16.10 is amended by adding a new section to read:

24 Sec. 16.10.312. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
25 commissioner of administration shall separately account for all fees
26 and collection charges that the department deposits in the general
27 fund. The annual estimated balance in the account may be used by the
28 legislature to make appropriations to the department to carry out the
29 purposes of AS 16.10.300 - 16.10.370.

1 * Sec. 48. AS 16.10.320 is amended by adding a new subsection to read:
2 (j) All principal and interest payments, and any money charge-
3 able to principal or interest that is collected through liquidation by
4 foreclosure or other process on loans made under AS 16.10.300 - 16.-
5 10.370, shall be paid into the commercial fishing revolving loan fund.

6 * Sec. 49. AS 16.10.340 is amended by adding a new subsection to read:
7 (b) Money in the fund may be used by the legislature to make
8 appropriations for costs of administering AS 16.10.300 - 16.10.370.

9 * Sec. 50. AS 16.10.505 is amended to read:
10 Sec. 16.10.505. FISHERIES ENHANCEMENT REVOLVING LOAN FUND.
11 There is created within the Department of Commerce and Economic Devel-
12 opment a revolving fund to be known as the fisheries enhancement
13 revolving loan fund. Except as provided in (b) of this section, the
14 [THE] fund shall be used to carry out the purposes of AS 16.10.500 -
15 16.10.560 and for no other purpose. All principal and interest pay-
16 ments, and money chargeable to principal or interest that is collected
17 through liquidation by foreclosure or other process on loans made
18 under AS 16.10.500 - 16.10.560, shall be paid into the fisheries
19 enhancement revolving loan fund.

20 * Sec. 51. AS 16.10.505 is amended by adding a new subsection to read:
21 (b) Money in the fund may be used by the legislature to make
22 appropriations for costs of administering AS 16.10.500 - 16.10.560.

23 * Sec. 52. AS 16.10.510(4) is amended to read:
24 (4) adopt regulations necessary to carry out the provisions
25 of AS 16.10.500 - 16.10.560, including regulations to establish rea-
26 sonable fees for services provided [HIS FUNCTIONS];

27 * Sec. 53. AS 16.10.510 is amended by adding a new paragraph to read:
28 (11) charge and collect the fees established under this
29 section.

1 * Sec. 54. AS 16.10 is amended by adding a new section to read:

2 Sec. 16.10.512. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
3 commissioner of administration shall separately account for all fees
4 and collection charges that the department deposits in the general
5 fund. The annual estimated balance in the account may be used by the
6 legislature to make appropriations to the department to carry out the
7 purposes of AS 16.10.500 - 16.10.560.

8 * Sec. 55. AS 18.07 is amended by adding a new section to read:

9 Sec. 18.07.035. APPLICATION AND FEES. (a) Application for a
10 certificate of need shall be made to the department upon a form pro-
11 vided by the department and must contain the information the depart-
12 ment requires to reach a decision under AS 18.07.041 - 18.07.111.
13 Each application for a certificate of need must be accompanied by an
14 application fee established by the department by regulation.

15 (b) The commissioner of administration shall separately account
16 for fees collected under this section that the department deposits in
17 the general fund. The annual estimated balance in the account may be
18 used by the legislature to make appropriations to the department.

19 * Sec. 56. AS 18.20.030 is amended to read:

20 Sec. 18.20.030. APPLICATION AND FEES. Application for a license
21 shall be made to the department upon a form provided by it, and must
22 [SHALL] contain the information the department requires, which may in-
23 clude affirmative evidence of ability to comply with the reasonable
24 standards and regulations adopted under AS 18.20.060 - 18.20.080.
25 Each application for a license must [SHALL] be accompanied by a li-
26 cense fee established by the department by regulation [OF \$10]. The
27 department shall deposit all fees received in the general fund [STATE
28 TREASURY].

29 * Sec. 57. AS 18.20.030 is amended by adding a new subsection to read:

1 (b) The commissioner of administration shall separately account
2 for fees collected under this section that the department deposits in
3 the general fund. The annual estimated balance in the account may be
4 used by the legislature to make appropriations to the department for
5 the purposes of this chapter.

6 * Sec. 58. AS 18.20.040 is amended to read:

7 Sec. 18.20.040. ISSUANCE AND RENEWAL OF LICENSE AND POSTING.
8 Upon receipt of an application for license and the license fee, the
9 department shall issue a license if the applicant meets the require-
10 ments established under AS 18.20.060 - 18.20.080. If the applicant
11 does not meet the requirements established under AS 18.20.060 - 18.-
12 20.080 but makes continued efforts to comply with them, the department
13 may grant a temporary or provisional license for a reasonable period
14 of time. A license, unless suspended or revoked, is renewable annual-
15 ly [WITHOUT CHARGE] upon filing by the licensee [,] and approval by
16 the department of an annual report on the uniform date and containing
17 the information in the form the department prescribes by regulation.
18 Each license issued is for the premises and person or governmental
19 unit named in the application and is not transferable or assignable
20 except with the written approval of the department. Licenses shall
21 be posted in a conspicuous place on the licensed premises.

22 * Sec. 59. AS 18.65.410 is amended to read:

23 Sec. 18.65.410. APPLICATIONS. Application for a license as a
24 security guard shall [MUST] be made on forms provided by the commis-
25 sioner. The application must require the furnishing of information
26 reasonably required by the commissioner to carry out the provisions of
27 AS 18.65.400 - 18.65.490, including classifiable fingerprints to
28 enable the search of criminal indices for evidence of a prior criminal
29 record. The application must be accompanied by a nonrefundable appli-

1 cation fee in an amount set by the Department of Public Safety by
2 regulation [OF \$25] for a security guard and [\$200] for a security
3 guard agency.

4 * Sec. 60. AS 18.65 is amended by adding a new section to read:

5 Sec. 18.65.415. ACCOUNTING FOR AND DISPOSITION OF FEES. The
6 commissioner of administration shall separately account for fees
7 collected under AS 18.65.410 and 18.65.430 that the Department of
8 Public Safety deposits in the general fund. The annual estimated
9 balance in the account may be used by the legislature to make appro-
10 priations to the department to carry out the purposes of AS 18.65.-
11 400 - 18.65.490.

12 * Sec. 61. AS 18.65.430 is amended to read:

13 Sec. 18.65.430. DURATION OF LICENSE. A security guard license
14 issued under AS 18.65.400 - 18.65.490 is valid for a period of two
15 years and may be renewed for additional two-year terms. A renewal fee
16 set by the Department of Public Safety by regulation [OF \$25] must be
17 paid for each renewal.

18 * Sec. 62. AS 19.25.010 is amended to read:

19 Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES. A utility
20 facility may be constructed, placed, or maintained across, along,
21 over, under or within a state right-of-way only in accordance with
22 regulations prescribed by the department and if authorized by a writ-
23 ten permit issued by the department. The department may charge a fee
24 for a permit issued under this section. The commissioner of adminis-
25 tration shall separately account for utility permit fees that the
26 department deposits in the general fund. The annual estimated balance
27 in the account may be used by the legislature to make appropriations
28 to the department to carry out the purposes of this chapter.

29 * Sec. 63. AS 19.60.030 is amended to read:

1 Sec. 19.60.030. REGULATIONS. The department may adopt [RULES
2 AND] regulations governing the use of ferry terminal facilities by the
3 public that [WHICH] it considers necessary and proper in the public
4 interest. The department may charge a fee for the use of ferry termi-
5 nal facilities, whether the use is under a permit or otherwise, and
6 whether it is by one or more individuals. The commissioner of admin-
7 istration shall separately account for permit fees and use fees that
8 the department deposits in the general fund. The annual estimated
9 balance in the account may be used by the legislature to make appro-
10 priations to the department to carry out the purposes of this chapter.

11 * Sec. 64. AS 24.20.050 is amended by adding a new subsection to read:

12 (b) The executive director may establish reasonable fees for
13 services and materials provided by the Legislative Affairs Agency to
14 entities outside of the legislative branch of state government and
15 charges for collecting the fees. All fees and charges collected by
16 the agency shall be deposited into the general fund. The commissioner
17 of administration shall separately account for all fees and collection
18 charges that the agency deposits in the general fund. The annual
19 estimated balance in the account may be used by the legislature to
20 make appropriations to the agency to carry out the functions of the
21 agency.

22 * Sec. 65. AS 26.15.030(a) is amended to read:

23 (a) The Department of Commerce and Economic Development shall
24 formulate general policies and adopt regulations, including regula-
25 tions to establish reasonable fees for services provided.

26 * Sec. 66. AS 26.15.030(c) is amended by adding a new paragraph to
27 read:

28 (8) charge and collect the fees established under this
29 section.

1 * Sec. 67. AS 26.15 is amended by adding a new section to read:

2 Sec. 26.15.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
3 commissioner of administration shall separately account for all fees
4 and collection charges that the Department of Commerce and Economic
5 Development deposits in the general fund. The annual estimated bal-
6 ance in the account may be used by the legislature to make appropria-
7 tions to that department to carry out the purposes of this chapter.

8 * Sec. 68. AS 26.15.C40(d) is amended to read:

9 (d) Money loaned shall be delivered to the borrower in the form
10 of a warrant drawn on the treasury, vouchered in the manner prescribed
11 for state disbursing officers, and charged against the Alaska World
12 War II veterans' revolving fund. Each voucher shall be approved by
13 the commissioner of commerce and economic development or any bonded
14 deputy authorized to act as a certifying officer. Upon repayment of
15 loans by installments, or otherwise, in accordance with the prescribed
16 terms, or upon liquidation by foreclosure or other process, or upon
17 receipt of interest [OR OTHER REVENUE], the money so received shall be
18 turned over to the commissioner of revenue for deposit in the Alaska
19 World War II veterans' revolving fund.

20 * Sec. 69. AS 26.15.090 is amended by adding a new subsection to read:

21 (b) Money in the fund may be used by the legislature to make
22 appropriations for costs of administering this chapter.

23 * Sec. 70. AS 27.09.010(b) is amended to read:

24 (b) The mining loan fund is a revolving fund consisting of
25 appropriations made to the fund by the legislature, [AND] repayments
26 of principal and interest, and any money chargeable to principal or
27 interest that is collected through liquidation by foreclosure or other
28 process on loans made from the fund. Money appropriated to or repaid
29 into the fund does not lapse under AS 37.25.010. Money in the fund

1 may be used by the legislature to make appropriations for costs of
2 administering the fund.

3 * Sec. 71. AS 27.09.050 is amended to read:

4 Sec. 27.09.050. REGULATIONS. The department may adopt regu-
5 lations necessary to carry out the provisions of this chapter, includ-
6 ing regulations to establish reasonable fees for services provided [IN
7 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62) TO ADMIN-
8 ISTER THIS CHAPTER]. Regulations adopted under this section shall be
9 prepared after consultation with the Department of Natural Resources
10 or after consultation with a person who, in the opinion of the commis-
11 sioner of commerce and economic development or a designee, has broad
12 experience in and is highly qualified in advanced mineral exploration,
13 development, and mining.

14 * Sec. 72. AS 27.09 is amended by adding a new section to read:

15 Sec. 27.09.055. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
16 commissioner of administration shall separately account for all fees
17 and collection charges that the department collects under this chapter
18 and deposits in the general fund. The annual estimated balance in the
19 account may be used by the legislature to make appropriations to the
20 department to carry out the purposes of this chapter.

21 * Sec. 73. AS 29.25 is amended by adding a new section to read:

22 Sec. 29.25.075. COLLECTION OF PENALTIES. The court may collect
23 for a municipality any monetary penalty or item to be forfeited as a
24 result of the violation of an ordinance. The supreme court may
25 prescribe by rule the fees to be charged by all courts to
26 municipalities for providing collection services under this section.

27 * Sec. 74. AS 33.30.041 is amended by adding a new subsection to read:

28 (d) The commissioner of administration shall separately account
29 for payments received under agreements entered into under this section.

1 that the department deposits in the general fund. The annual esti-
2 mated balance in the account may be used by the legislature to make
3 appropriations to the department for the operation of state correc-
4 tional facilities.

5 * Sec. 75. AS 33.30.131 is amended by adding a new subsection to read:

6 (e) The commissioner of administration shall separately account
7 for prisoner earnings collected under (b)(1) and (3) of this section
8 and deposited in the general fund. The annual estimated balance in
9 the account may be used by the legislature to make appropriations to
10 the department to carry out the provisions of this section.

11 * Sec. 76. AS 35.10.210 is amended to read:

12 Sec. 35.10.210. USE OF PUBLIC FACILITIES FOR UTILITIES. A
13 utility facility may be constructed, placed, or maintained across,
14 along, over, under, or within a state public facility only in accor-
15 dance with regulations adopted or procedures prescribed by the depart-
16 ment and only if authorized by a written permit issued by the depart-
17 ment. The department may charge a fee for a permit issued under this
18 section. The commissioner of administration shall separately account
19 for utility permit fees 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. 77. AS 35.10.230 is amended to read:

24 Sec. 35.10.230. ENCROACHMENT PERMITS. An encroachment may be
25 constructed, placed, changed, or maintained across or within a public
26 facility, but only in accordance with regulations or procedures adopt-
27 ed by the department. An encroachment may not be constructed, placed,
28 maintained, or changed until it is authorized by a written permit
29 issued by the department, unless the department provides otherwise by

1 regulation. The department may charge a fee for a permit issued under
2 this section. The commissioner of administration shall separately
3 account for encroachment permit fees that the department deposits in
4 the general fund. The annual estimated balance in the account may be
5 used by the legislature to make appropriations to the department to
6 carry out the purposes of this chapter.

7 * Sec. 78. AS 38.05.035 is amended by adding a new subsection to read:

8 (g) The commissioner of administration shall separately account
9 for all fees collected under (b)(2), (3), (5), (7), and (f) of this
10 section that the department deposits in the general fund. The annual
11 estimated balance in the account may be used by the legislature to
12 make appropriations to the department to carry out the purposes of
13 (b)(2), (3), (5), (7), and (f) of this section.

14 * Sec. 79. AS 38.05.068 is amended by adding a new subsection to read:

15 (e) The commissioner of administration shall separately account
16 for all fees collected under this section that the department deposits
17 in the general fund. The annual estimated balance in the account may
18 be used by the legislature to make appropriations to the department to
19 carry out the purposes of this section.

20 * Sec. 80. AS 38.05.070 is amended by adding a new subsection to read:

21 (d) The commissioner of administration shall separately account
22 for all fees collected under this section that the department deposits
23 in the general fund. The annual estimated balance in the account may
24 be used by the legislature to make appropriations to the department to
25 carry out the purposes of this section.

26 * Sec. 81. AS 38.05.082 is amended by adding a new subsection to read:

27 (f) The commissioner of administration shall separately account
28 for all fees collected under this section that the department deposits
29 in the general fund. The annual estimated balance in the account may

1 be used by the legislature to make appropriations to the department to
2 carry out the purposes of this section.

3 * Sec. 82. AS 38.05.102 is amended to read:

4 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold
5 created under AS 38.05.070 - 38.05.105 is offered for sale or long-
6 term lease at the termination of the existing leasehold, the director
7 may, upon a finding that it is in the best interest of the state,
8 allow the holder in good standing of that leasehold to purchase or
9 lease the land for its appraised fair market value at the time of the
10 sale or long-term lease. The commissioner of administration shall
11 separately account for all fees collected under 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. 83. AS 38.05.120 is amended by adding a new subsection to read:

16 (b) The commissioner of administration shall separately account
17 for all money collected under this section that the department de-
18 posits in the general fund. The annual estimated balance in the
19 account may be used by the legislature to make appropriations to the
20 department to carry out the purposes of this section, AS 38.05.110,
21 and AS 41.17.300.

22 * Sec. 84. AS 38.35.140(b) is amended to read:

23 (b) The lessee shall reimburse the state for all reasonable
24 costs incurred in processing an application filed under AS 38.35.050
25 and in monitoring the construction of the pipeline on the right-of-
26 way. The commissioner of administration shall separately account for
27 money received under this section [SUBSECTION] that the Department of
28 Natural Resources deposits in the general fund. The annual estimated
29 balance in the account may be used by the legislature to make

1 appropriations to the department to carry out the purposes of AS 38.35
2 [THIS SECTION].

3 * Sec. 85. AS 38.95.240(b) is amended to read:

4 (b) If it is determined that the plaintiff is entitled to the
5 property, the department shall deliver the property to the plaintiff.
6 The rents, profits, interest, or dividends that accrue to the state
7 during its possession of the property are the property of the state
8 and may not be recovered. The commissioner of administration shall
9 separately account for all money collected under this subsection that
10 the department deposits in the general fund. The annual estimated
11 balance in the account may be used by the legislature to make appro-
12 priations to the department to carry out the purposes of AS 38.95.230.

13 * Sec. 86. AS 38.95.250 is amended by adding a new subsection to read:

14 (b) All money collected under (a) of this section not required
15 to be kept in the escheated real property trust account shall be
16 deposited in the general fund. The commissioner of administration
17 shall separately account for all money that the department deposits in
18 the general fund. The annual estimated balance in the account may be
19 used by the legislature to make appropriations to the department to
20 carry out the purposes of AS 38.95.230.

21 * Sec. 87. AS 39.25.050 is amended by adding a new subsection to read:

22 (b) The director of personnel may contract with municipalities,
23 private organizations, and other persons to provide personnel research
24 or personnel training services for them and charge a fee for doing so.

25 * Sec. 88. AS 41.35.045 is amended by adding a new subsection to read:

26 (c) The commissioner of administration shall separately account
27 for all fees collected under this section that the department deposits
28 in the general fund. The annual estimated balance in the account may
29 be used by the legislature to make appropriations to the department to

1 carry out the purposes of this chapter.

2 * Sec. 89. AS 44.21 is amended by adding a new section to article 1 to
3 read:

4 Sec. 44.21.070. ACCOUNTING FOR AND DISPOSITION OF FEES. The
5 commissioner of administration shall separately account for each type
6 of fee collected by the Department of Administration that the depart-
7 ment deposits in the general fund. The annual estimated balance in
8 the accounts may be used by the legislature to make appropriations to
9 the department to carry out its functions.

10 * Sec. 90. AS 44.23 is amended by adding a new section to read:

11 Sec. 44.23.025. DEPARTMENT HOUSING. The Department of Law may
12 operate state housing in support of its statutory responsibilities and
13 may charge rent consistent with an applicable collective bargaining
14 agreement. The commissioner of administration shall separately ac-
15 count for housing program receipts that the Department of Law deposits
16 in the general fund. The annual estimated balance in the account may
17 be used by the legislature to make appropriations to the department to
18 carry out the housing program.

19 * Sec. 91. AS 44.33.240 is amended by adding a new subsection to read:

20 (b) The department may use money in the fund for costs of admin-
21 istering AS 44.33.240 - 44.33.275.

22 * Sec. 92. AS 44.33.245(a) is amended to read:

23 (a) The department may

24 (1) make loans for the construction, renovation, and equip-
25 ping of child care facilities, including private nonprofit child care
26 facilities;

27 (2) adopt regulations necessary to carry out the provisions
28 of AS 44.33.240 - 44.33.275, including regulations to establish rea-
29 sonable fees for services provided and charges for collecting the

1 fees; and
2 (3) collect the fees and charges established under this
3 subsection.
4 * Sec. 93. AS 44.33 is amended by adding a new section to read:
5 Sec. 44.33.247. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
6 commissioner of administration shall separately account for all fees
7 and collection charges that the department deposits in the general
8 fund. The annual estimated balance in the account may be used by the
9 legislature to make appropriations to the department to carry out the
10 purposes of AS 44.33.240 - 44.33.275.
11 * Sec. 94. AS 44.33.255(d) is amended to read:
12 (d) All principal and interest payments, and any money charge-
13 able to principal or interest that is collected through liquidation by
14 foreclosure or other process on loans made under AS 44.33.240 - 44.-
15 33.275₁ shall be paid into the child care facility revolving loan
16 fund.
17 * Sec. 95. AS 44.33.600 is amended by adding a new subsection to read:
18 (c) Money in the fund may be used by the legislature to make
19 appropriations for costs of administering AS 44.33.600 - 44.33.630.
20 * Sec. 96. AS 44.41.020 is amended by adding new subsections to read:
21 (c) The Department of Public Safety may enter into agreements
22 with federal agencies, state or local government agencies, private
23 nonprofit agencies, or individuals to provide forensic laboratory
24 services. Reasonable fees may be charged by the department to cover
25 the costs of providing services under these agreements, including
26 personnel costs necessary to perform these services, maintenance, or
27 replacement of equipment needed to perform these services, and the
28 cost of supplies used in performing these services. The commissioner
29 of administration shall separately account for the forensic laboratory

1 fees that the Department of Public Safety deposits in the general
2 fund. The annual estimated balance in the account may be used by the
3 legislature to make appropriations to the department to carry out the
4 purposes of this subsection.

5 (d) The Department of Public Safety may operate state housing in
6 support of the department's statutory responsibilities and charge rent
7 consistent with an applicable collective bargaining agreement. Rent
8 received from tenants must be deposited in the general fund. The
9 commissioner of administration shall separately account for rent
10 received under the housing program. The annual estimated balance in
11 the account may be used by the legislature to make appropriations to
12 the Department of Public Safety to carry out the residential housing
13 program.

14 * Sec. 97. AS 44.41.025 is amended by adding a new subsection to read:

15 (b) The commissioner of public safety may establish by regu-
16 lation and the Department of Public Safety may charge a reasonable fee
17 to be paid by a person requesting a criminal history record check or a
18 copy of the person's criminal history record from confidential files
19 maintained by the department. The commissioner of administration
20 shall separately account for fees collected under this subsection that
21 the Department of Public Safety deposits in the general fund. The
22 annual estimated balance in the account may be used by the legislature
23 to make appropriations to the department to carry out the purposes of
24 this subsection.

25 * Sec. 98. AS 44.42.020(b) is amended to read:

26 (b) The department may

27 (1) engage in experimental projects relating to available
28 or future modes of transportation and any means of improving existing
29 transportation facilities and service;

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

3 (3) publish plans, schedules, directories, guides, and
4 manuals for distribution, with or without charge, to private or public
5 entities or persons;

6 (4) operate state housing in support of the department's
7 statutory responsibilities and charge rent that is consistent with an
8 applicable collective bargaining agreement;

9 (5) charge reasonable fees to cover the costs of issuing
10 easements, licenses, and permits and to cover the costs of reproduc-
11 tion, printing, mailing, and distribution of contract and bid docu-
12 ments and design and construction standards manuals.

13 * Sec. 99. AS 44.42 is amended by adding a new section to read:

14 Sec. 44.42.026. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
15 commissioner of administration shall separately account for rent and
16 fees received by the Department of Transportation and Public Facil-
17 ities under AS 44.42.020(b)(4) and (5) and deposited in the general
18 fund. The annual estimated balance in the accounts may be used by the
19 legislature to make appropriations to the department to carry out its
20 functions under AS 44.42.020.

21 * Sec. 100. AS 44.46 is amended by adding a new section to article 1 to
22 read:

23 Sec. 44.46.025. FEES FOR SERVICES. (a) The department may, by
24 regulation, prescribe reasonable fees for services provided by the
25 department, including fees for services provided under AS 03.05,
26 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020. The department
27 shall collect the fees and deposit them in the general fund.

28 (b) The commissioner of administration shall separately account
29 for service fees collected and deposited in the general fund by the

1 Department of Environmental Conservation. 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 its functions under AS 03.05,
4 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020.

5 * Sec. 101. AS 44.47.380 is amended by adding a new subsection to read:

6 (b) Money in the fund may be used by the legislature to make
7 appropriations for costs of administering the housing assistance
8 program.

9 * Sec. 102. AS 44.50.040 is amended to read:

10 Sec. 44.50.040. FEES. The lieutenant governor may, by regu-
11 lation, prescribe the fee for a notary public commission. The [A] fee
12 [OF \$20] shall be paid to the lieutenant governor for each commission
13 issued to a person other than [TO] a state employee. The lieutenant
14 governor shall deposit the fees in the general fund.

15 * Sec. 103. AS 44.50.040 is amended by adding a new subsection to read:

16 (b) The commissioner of administration shall separately account
17 for notary public commission fees deposited in the general fund by the
18 lieutenant governor. The annual estimated balance in the account may
19 be used by the legislature to make appropriations to the lieutenant
20 governor's office to carry out this chapter.

21 * Sec. 104. AS 44.83.170 is amended by adding new subsections to read:

22 (i) Money in the power project fund may be used by the legisla-
23 ture to make appropriations for costs of administering the fund.

24 (j) The authority may make loans from the power project fund to
25 the authority to pay the cost of feasibility studies, design, and
26 construction of transmission projects. The authority shall repay the
27 principal amount of loans made under this subsection to the fund from
28 revenue identified at the time that the loan is made. The authority
29 may not charge interest on a loan under this subsection.

- 1 * Sec. 105. AS 44.83.187(d) is amended to read:
2 (d) The provisions of AS 44.83.177 - 44.83.185 do not apply to
3 (1) an addition, modification, repair, reconstruction,
4 design, acquisition, or construction for the purpose of completing a
5 project;
6 (2) the construction of an electrical transmission or dis-
7 tribution facility [THAT IS ESTIMATED TO COST LESS THAN \$3,000,000].
- 8 * Sec. 106. AS 44.83.361 is amended by adding a new subsection to read:
9 (g) Money in the rural electrification revolving loan fund may
10 be used by the legislature to make appropriations for costs of ad-
11 ministering the fund.
- 12 * Sec. 107. AS 45.87.010 is amended by adding a new subsection to read:
13 (b) Money in the fund may be used by the legislature to make
14 appropriations for costs of administering this chapter.
- 15 * Sec. 108. AS 45.87.020(c) is amended to read:
16 (c) Repayments of the principal, the interest, and the money
17 chargeable to principal or interest that is collected through liq-
18 uidation by foreclosure or other process on a loan made under this
19 chapter [FROM THE BULK FUEL REVOLVING LOAN FUND] shall be paid [BY THE
20 COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT] into the bulk fuel
21 revolving loan fund.
- 22 * Sec. 109. AS 45.87.060 is amended to read:
23 Sec. 45.87.060. REGULATIONS. The department may [SHALL] adopt
24 regulations necessary to carry out the provisions of [TO IMPLEMENT]
25 this chapter, including regulations to establish reasonable fees for
26 services provided and charges for collecting the fees.
- 27 * Sec. 110. AS 45.87 is amended by adding a new section to read:
28 Sec. 45.87.065. FEES. The department may collect the fees and
29 collection charges established under AS 45.87.060 and shall deposit

1 The money in the general fund. The commissioner of administration
2 shall separately account for all fees and collection charges that the
3 department deposits in the general fund. The annual estimated balance
4 in the account may be used by the legislature to make appropriations
5 to the department to carry out the purposes of this chapter.

6 * Sec. 111. AS 45.88.010 is amended by adding a new subsection to read:

7 (b) Money in the fund may be used by the legislature to make
8 appropriations for costs of administering this chapter.

9 * Sec. 112. AS 45.88.020(a) is amended to read:

10 (a) The department may

11 (1) make loans for the purchase, construction, and instal-
12 lation of alternative energy systems;

13 (2) adopt regulations necessary to carry out the provisions
14 of this chapter, including regulations to establish reasonable fees
15 for services provided and charges for collecting the fees;

16 (3) collect the fees and collection charges established
17 under this subsection.

18 * Sec. 113. AS 45.88 is amended by adding a new section to read:

19 Sec. 45.88.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
20 commissioner of administration shall separately account for all fees
21 and collection charges that the department deposits in the general
22 fund. The annual estimated balance in the account may be used by the
23 legislature to make appropriations to the department to carry out the
24 purposes of this chapter.

25 * Sec. 114. AS 45.88.030(d) is amended to read:

26 (d) All principal and interest payments, and money chargeable to
27 principal or interest that is collected through liquidation by fore-
28 closure or other process on loans made under this chapter, shall be
29 paid into the alternative [TECHNOLOGY AND] energy revolving loan fund.

- 1 * Sec. 115. AS 45.89.010 is amended by adding a new subsection to read:
2 (b) Money in the fund may be used by the legislature to make
3 appropriations for costs of administering this chapter.
- 4 * Sec. 116. AS 45.89.030(h) is amended to read:
5 (h) All principal and interest payments, and money chargeable to
6 principal or interest that is collected through liquidation by fore-
7 closure or other process [AMOUNTS REPAID] on a loan made under this
8 chapter, [SECTION] shall be paid into [DEPOSITED TO] the residential
9 energy conservation fund.
- 10 * Sec. 117. AS 45.89.070 is amended to read:
11 Sec. 45.89.070. REGULATIONS. The department shall adopt regu-
12 lations necessary to carry out the provisions of [IMPLEMENT] this
13 chapter, including regulations to establish reasonable fees for
14 services provided and charges for collecting the fees.
- 15 * Sec. 118. AS 45.89 is amended by adding a new section to read:
16 Sec. 45.89.075. FEES. The department may collect the fees and
17 collection charges established under AS 45.89.070. The commissioner
18 of administration shall separately account for all fees and collection
19 charges that the department deposits in the general fund. The annual
20 estimated balance in the account may be used by the legislature to
21 make appropriations to the department to carry out the purposes of
22 this chapter.
- 23 * Sec. 119. AS 45.90.010 is amended to read:
24 Sec. 45.90.010. CREATION OF A TOURISM REVOLVING FUND. There is
25 created in the Department of Commerce and Economic Development a
26 tourism revolving fund. All principal and interest payments, and
27 money chargeable to principal or interest that is collected through
28 liquidation by foreclosure or other process on loans made under this
29 chapter, shall be paid into the tourism revolving fund.

1 * Sec. 120. AS 45.90.010 is amended by adding a new subsection to read:

2 (b) Money in the fund may be used by the legislature to make
3 appropriations for costs of administering this chapter.

4 * Sec. 121. AS 45.90.020(a) is amended to read:

5 (a) The department may

6 (1) make loans to a business directly involved in the
7 tourist industry;

8 (2) designate agents and delegate powers to them as is
9 necessary;

10 (3) adopt regulations necessary to carry out its functions,
11 including regulations to establish reasonable fees for services pro-
12 vided and charges for collecting the fees;

13 (4) establish amortization plans for the repayment of loans
14 not to exceed 20 years;

15 (5) collect the fees and collection charges established
16 under this subsection.

17 * Sec. 122. AS 45.90 is amended by adding a new section to read:

18 Sec. 45.90.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
19 commissioner of administration shall separately account for all fees
20 and collection charges that the department deposits in the general
21 fund. The annual estimated balance in the account may be used by the
22 legislature to make appropriations to the department to carry out the
23 purposes of this chapter.

24 * Sec. 123. AS 45.95.010(a) is amended to read:

25 (a) The Department of Commerce and Economic Development shall
26 formulate general policies and adopt regulations necessary to carry
27 out the provisions of this chapter, including regulations to establish
28 fees for services provided and charges for collecting the fees. The
29 department may collect the fees and collection charges established.

1 The commissioner of administration shall separately account for all
2 fees and collection charges that the department deposits in the gen-
3 eral fund. The annual estimated balance in the account may be used by
4 the legislature to make appropriations to the department to carry out
5 the purposes of this chapter.

6 * Sec. 124. AS 45.95.020(d) is amended to read:

7 (d) Money loaned shall be delivered to the borrower in the form
8 of a warrant drawn on the treasury, vouchered in the manner prescribed
9 for state disbursing officers, and charged against the small business
10 revolving loan fund. Each voucher shall be approved by the commis-
11 sioner or a [ANY] bonded deputy authorized to act as a certifying
12 officer. Upon repayment of loans by installments, or otherwise, in
13 accordance with the prescribed terms, or upon liquidation by
14 foreclosure or other process, or upon receipt of interest [OR OTHER
15 REVENUE], the money so received shall be turned over to the
16 commissioner of revenue for deposit in the small business revolving
17 loan fund.

18 * Sec. 125. AS 45.95.060 is amended by adding a new subsection to read:

19 (b) Money in the fund may be used by the legislature to make
20 appropriations for costs of administering this chapter.

21 * Sec. 126. AS 45.98.010 is amended to read:

22 Sec. 45.98.010. CREATION OF HISTORICAL DISTRICT REVOLVING LOAN
23 FUND. There is created in the Department of Commerce and Economic
24 Development a historical district revolving loan fund. All principal
25 and interest payments, and money chargeable to principal or interest
26 that is collected through liquidation by foreclosure or other process
27 on loans made under this chapter, shall be paid into the historical
28 district revolving fund.

29 * Sec. 127. AS 45.98.010 is amended by adding a new subsection to read:

1 (b) Money in the fund may be used by the legislature to make
2 appropriations for costs of administering this chapter.

3 * Sec. 128. AS 45.98.030 is amended to read:

4 Sec. 45.98.030. POWERS AND DUTIES OF THE DEPARTMENT. For pur-
5 poses of administering this chapter, the Department of Commerce and
6 Economic Development may

7 (1) prescribe the form and procedure for submitting loan
8 applications under this chapter;

9 (2) designate agents and delegate powers to them as is
10 necessary;

11 (3) in consultation with the Historic Sites Advisory Com-
12 mittee, adopt regulations necessary to carry out its functions, in-
13 cluding regulations for the process of plan approval by the committee
14 and regulations to establish reasonable fees for services provided and
15 charges for collecting the fees;

16 (4) establish amortization plans for the repayment of loans
17 not to exceed 30 years;

18 (5) collect the fees and collection charges established
19 under this section.

20 * Sec. 129. AS 45.98 is amended by adding a new section to read:

21 Sec. 45.98.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
22 commissioner of administration shall separately account for all fees
23 and collection charges that the department deposits in the general
24 fund. The annual estimated balance in the account may be used by the
25 legislature to make appropriations to the department to carry out the
26 purposes of this chapter.

27 * Sec. 130. AS 47.05.070 is amended by adding a new subsection to read:

28 (e) The commissioner of administration shall separately account
29 for third-party collections that the department deposits in the gener-

1 al fund. The annual estimated balance in the account may be used by
2 the legislature to make appropriations to the department to carry out
3 the purposes of AS 47.07.

4 * Sec. 131. AS 47.05 is amended by adding a new section to read:

5 Sec. 47.05.080. RETENTION OF OVERPAYMENTS COLLECTED. (a)
6 Benefit overpayments collected by the department in administering
7 programs under AS 47.25.120 - 47.25.300 (general relief), AS 47.25.-
8 310 - 47.25.420 (aid to families with dependent children), AS 47.25.-
9 430 - 47.25.615 (adult public assistance), and AS 47.25.975 - 47.25.-
10 990 (food stamps) shall be remitted to the Department of Revenue under
11 AS 37.10.050(a).

12 (b) The commissioner of administration shall separately account
13 for overpayment collections that the department deposits in the
14 general fund. The annual estimated balance in the account may be used
15 by the legislature to make appropriations to the department for costs
16 of administering the programs listed in (a) of this section.

17 * Sec. 132. Notwithstanding AS 37.10.050(a), as amended by sec. 1, ch.
18 138, SLA 1986, a fee charged by an agency under a regulation that was
19 adopted before July 1, 1987, under authority of a statute that does not
20 expressly authorize a charge for a service is valid if it would have been
21 valid before the 1986 amendment of AS 37.10.050(a). The regulation and fee
22 remain in effect, and the agency may charge for the service, until the
23 regulation is repealed or amended by the agency. To amend the regulation
24 to change the fee, the agency shall meet the standard of AS 37.10.050(a).

25 * Sec. 133. In preparing the governor's budget for fiscal year 1989,
26 proposed general fund appropriations that are based on estimated general
27 fund program receipts as defined in AS 01.10.060(15), enacted in sec. 1 of
28 this Act, shall be identified as general fund/program receipts and shall be
29 included in the funding source designation as part of the general fund

1 total.

2 * Sec. 134. A loan made under AS 44.83.170(j), added by sec. 104 of
3 this Act, before January 1, 1989, to the authority for the Fairbanks-Kenai
4 Peninsula Intertie shall be repaid from revenue from the Bradley Lake
5 hydroelectric project after the revenue bonds for that project are retired.

6 * Sec. 135. AS 10.05.708(b), 10.05.711(b), 10.05.773; AS 10.15.535,
7 10.15.540; AS 46.03.020(12) and 46.03.025 are repealed.

8 * Sec. 136. This Act takes effect July 1, 1987.

SENATE COMMITTEE REPORT

FURTHER:

5/13/87

DATE TURNED INTO OFFICE

5/15/87

Mr. President:

FINANCE

Committee considered

CSHB 263(Fin)

financial administration of state government; the provision of and charges for state services; accounting for and disposition of state receipts. efd.

and recommended:

[x] replace with Senate CS FOR CSHB 263(Fin)) [x] same title
[] or adopt _____ CS FOR _____) [] new title

[] attached amendment(s) and

[x] do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

[] letter of intent adopted _____

Committee [x] attached or [] adopted fiscal note(s)

[] new [] updated or [x] previous
[] zero [x] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Handwritten signatures of committee members: Paul Fisher, Paul F. Howard, Phil Clark, etc.

Handwritten signature: W. Henry

Handwritten initials: AB

NO REC.

Chairman signature and recommendation

[] Committee Backup Attached

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: CSHB 263(Fin)
Publish Date: HOUSE 5/12/87

REQUEST

Revision Date: _____ Agency Affected: Administration
Title: Program Receipts Bill BRU: Finance
Sponsor: Rules Committee by request Components: Finance
of the Governor
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES	0	69.8	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	69.8	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	69.8	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	69.8	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	2	0	0	0	0

ANALYSIS: Attach a separate page if necessary

See Attached

Prepared By: Keith Busch *Keith Busch* Phone: 465-2240
Division: Finance Date: April 13, 1987

Approved by Commissioner: Garrey Peska *Garrey Peska* Date: 4/16/87
Agency: Department of Administration

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

APR 17 1987

FISCAL NOTE ANALYSIS

The Division of Finance did not understand the detailed accounting and reporting for revenues that this bill and the previous bill, SLA 1986 Chapter 138, intended. We, therefore, underestimated the complexity of the changes to the accounting system and the accounting procedures that would be required to implement this bill and the required reporting and accounting of revenues. The Division of Finance, over the next three fiscal years, will be able to implement the provisions of this bill.

To accomplish this we will have to make procedural and program change to AKSAS. The accounting system (AKSAS) has built-in edits segregating revenues historically identified as budgeted revenues (Restricted Revenue) and revenues not specifically appropriated (Unrestricted Revenue). This bill crosses this budgetary distinction. To comply with the statutory provision that the Commissioner of Administration shall separately account for a specific revenue that a department deposits in the general fund, we will need to create a new budgetary revenue type and establish adequate controls to ensure that the legislature can make appropriations based upon this type revenue. We will accomplish this task in three parts: first, in FY 87 we will develop a new revenue structure to accommodate general fund classified revenues; secondly, in FY 88 we will develop and make needed program changes to allow for this type revenue to be referenced as a funding source for a specific appropriation; and finally, when we close the accounting records for FY 88, we will develop procedures to ensure all revenue types are properly classified in the annual report. We will have an ongoing cost each new fiscal year ensuring that for each revenue source or estimate, a cross structure control transaction is submitted for approval. We should be able to absorb this increased workload if the agencies and the Office of Management and Budget work with us to identify the accounts where revenues are to be controlled. However, there will be a one-time cost for making needed changes next fiscal year. It will be necessary to hire one nonpermanent Accountant IV for eight months at \$39.2 and one nonpermanent Programmer IV for six months at \$30.6.

go0307hX
Cook
5/15/87

Adopted
5/15/87

Original sponsor: Rules/Governor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
IN THE HOUSE

SENATE CS FOR CS FOR HOUSE BILL NO. 263 ()

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIFTEENTH LEGISLATURE - FIRST 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 and disposition of state receipts; and providing for an effective date."

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

* Section 1. AS 01.10.060 is amended by adding a new paragraph to read:

(15) "program receipts" means fees, charges, income earned on assets, and other state money received by a state agency in connection with the performance of its functions; all program receipts except the following are general fund program receipts:

(A) federal receipts;

(B) receipts of the following intergovernmental service funds:

(i) highway working capital fund (AS 44.74.010);

(ii) correctional industries fund (AS 33.32.020);

(C) receipts of the following enterprise funds:

(i) loan funds;

(ii) international airport revenue fund (AS 37.-15.430);

(iii) funds managed by the Alaska Housing Finance Corporation (AS 18.56.020), the Alaska Industrial Development Authority (AS 44.88.020), or the Municipal Bond Bank Authority (AS 44.85.020);

(D) University of Alaska receipts (AS 14.40.490);

1 (E) receipts of the following special revenue funds:

2 (i) fish and game fund (AS 16.05.100);

3 (ii) school fund (AS 43.50.140);

4 (iii) training and building fund (AS 23.20.130);

5 (F) receipts of the following trust funds:

6 (i) retirement funds (AS 14.25, AS 22.25, AS 26.-
7 05.222, AS 39.35, and former AS 39.37);

8 (ii) permanent fund (art. IX, sec. 15, Alaska
9 Constitution);

10 (iii) public school fund (AS 37.14.110);

11 (iv) second injury fund (AS 23.30.040);

12 (v) fishermen's fund (AS 23.35.060).

13 * Sec. 2. AS 02.15.090(a) is amended to read:

14 (a) [STATE OPERATION.] In operating an airport or air naviga-
15 tion facility owned or controlled by the state, the department may
16 enter into contracts, leases, and other arrangements covering periods
17 not exceeding 55 years with a person or municipality or the United
18 States, granting the privilege of using or improving an airport or air
19 navigation facility or a portion of it or space in it for commercial,
20 [OR] governmental, or other purposes; or conferring the privilege of
21 supplying goods, commodities, services, or facilities at an airport or
22 air navigation facility. The department may establish the terms and
23 conditions and fix the charges, rentals, and fees for the privileges
24 or services that [, WHICH] are reasonable and uniform for the same
25 class of privilege or service. These terms, conditions, charges,
26 rentals, and fees shall be established with due regard to the property
27 and improvements used and the expense of operation to the state. In
28 no case shall the public be deprived of its rightful, equal, and
29 uniform use of the airport, air navigation facility, or a portion of

1 them [THEREOF].

2 * Sec. 3. AS 02.15.090 is amended by adding a new subsection to read:

3 (c) The commissioner of administration shall separately account
4 for charges, rentals, and fees collected under this section and depos-
5 ited in the general fund. The annual estimated balance in the account
6 may be used by the legislature to make appropriations to the depart-
7 ment to carry out the purposes of this chapter.

8 * Sec. 4. AS 02.15.102 is amended to read:

9 Sec. 02.15.102. USE OF AIRPORTS FOR UTILITIES. A utility facil-
10 ity may be constructed, placed, or maintained across, along, over,
11 under, or within a state airport only in accordance with regulations
12 adopted or procedures prescribed by the department and only if au-
13 thorized by a written permit issued by the department. The department
14 may charge a fee for a permit issued under this section. The commis-
15 sioner of administration shall separately account for utility permit
16 fees that the department deposits in the general fund. The annual
17 estimated balance in the account may be used by the legislature to
18 make appropriations to the department to carry out the purposes of
19 this chapter.

20 * Sec. 5. AS 02.15.106 is amended to read:

21 Sec. 02.15.106. ENCROACHMENT PERMITS. An encroachment may be
22 constructed, placed, changed, or maintained across or within an air-
23 port, but only in accordance with regulations or procedures adopted by
24 the department. An encroachment may not be constructed, placed,
25 maintained, or changed until it is authorized by a written permit
26 issued by the department, unless the department provides otherwise by
27 regulation. The department may charge a fee for a permit issued under
28 this section. The commissioner of administration shall separately
29 account for encroachment permit fees that the department deposits in

1 the general fund. The annual estimated balance in the account may be
2 used by the legislature to make appropriations to the department to
3 carry out the purposes of this chapter.

4 * Sec. 6. AS 03.10.040 is amended by adding a new subsection to read:

5 (b) Money in the fund may be used by the legislature to make
6 appropriations for costs of administering this chapter.

7 * Sec. 7. AS 03.12.040 is amended by adding a new subsection to read:

8 (b) Money in the fund may be used by the legislature to make
9 appropriations for costs of administering this chapter.

10 * Sec. 8. AS 04.11.270 is amended by adding a new subsection to read:

11 (c) The commissioner of administration shall separately account
12 for all application fees collected under this section that the depart-
13 ment deposits in the general fund. The annual estimated balance in
14 the account may be used by the legislature to make appropriations to
15 the department to carry out the purposes of AS 04.06.

16 * Sec. 9. AS 06.01.010 is amended to read:

17 Sec. 06.01.010. EXAMINATION FEES AND ASSESSMENTS. (a) The
18 expenses of the department reasonably incurred in the examination or
19 investigation of all financial institutions or applications to estab-
20 lish financial institutions regulated by the department under this
21 title shall be charged to and paid by each financial institution as
22 provided in (b) and (d) of this section.

23 (b) Except for deposit institutions, the [THE] commissioner
24 shall assess every financial institution [,] and every applicant to
25 establish a financial institution [,] a fee for the actual expenses
26 incurred by the department in connection with any examination or
27 investigation, whether regular or special. The commissioner shall
28 assess every deposit institution and every applicant to establish a
29 deposit institution a fee for the actual expenses incurred by the

1 department in connection with any special examination or investiga-
2 tion. A [THE] fee assessed under this subsection must [SHALL] include
3 the proportionate part of the salaries and cost of employee benefits
4 of the examiners while conducting examinations or investigations and
5 while preparing reports of them, and transportation costs and per diem
6 of each examiner while away from the examiner's [HIS] duty station.
7 [HOWEVER, THE COST TO THE FINANCIAL INSTITUTION IN CONNECTION WITH AN
8 EXAMINATION MAY NOT EXCEED \$7,500 PER EXAMINATION.] The assessment
9 shall be made by the commissioner as soon as feasible after the exam-
10 ination or investigation has been completed. The assessment must [ALL
11 ASSESSMENTS SHALL] be [PAID TO AND] received by the department [BY
12 EACH INSTITUTION] within 30 days after receipt of notice of the asses-
13 sment by the institution.

14 (c) A [ANY] financial institution that [WHICH] fails to make the
15 payments required by the commissioner under (a), [AND] (b), and (d) of
16 this section within the time specified is subject to a penalty of not
17 more than \$100 each day it is late. The penalty, together with the
18 amount due [UNDER (a) OF THIS SECTION], may be recovered in a civil
19 action brought by the department.

20 * Sec. 10. AS 06.01.010 is amended by adding new subsections to read:

21 (d) The commissioner shall adopt regulations providing for
22 semiannual assessments of deposit institutions. An assessment must be
23 based on the amount of assets of a deposit institution and must cover
24 the aggregate cost of periodic examinations of the deposit institu-
25 tion.

26 (e) In this section "deposit institution" means an institution
27 chartered under this title that has obtained authority from the de-
28 partment to receive deposits of the type eligible to be insured by an
29 agency of the federal government.

1 * Sec. 11. AS 09.25 is amended by adding a new section to read:

2 Sec. 09.25.123. ACCOUNTING FOR AND DISPOSITION OF FEES. The
3 commissioner of administration shall separately account for all fees
4 collected under AS 09.25.110 and 09.25.120 that state agencies deposit
5 in the general fund. The annual estimated balance in the accounts may
6 be used by the legislature to make appropriations to the agencies to
7 carry out their respective functions.

8 * Sec. 12. AS 10.05.039(a) is amended to read:

9 (a) The fee for registration of a corporate name shall be estab-
10 lished by the department by regulation [SUBJECT TO AS 10.05.773].

11 * Sec. 13. AS 10.05.042 is amended to read:

12 Sec. 10.05.042. RENEWAL OF REGISTERED NAME. A corporation that
13 [WHICH] has registered its corporate name may renew the registration
14 from year to year by filing an application for renewal each year
15 setting out the facts required in an original application for regis-
16 tration and a certificate of good standing required for an original
17 registration and by paying a fee established by the department by
18 regulation [SUBJECT TO AS 10.05.773]. An application for renewal may
19 be filed between October 1 and December 31 in each year. The renewal
20 of the registration extends the registration for the following calen-
21 dar year.

22 * Sec. 14. AS 10.05.057(b) is amended to read:

23 (b) Whenever a corporation fails to appoint or maintain a regis-
24 tered agent in the state, or whenever its registered agent cannot,
25 with reasonable diligence, be found at the registered office, the
26 commissioner is an agent of the corporation upon whom the process,
27 notice, or demand may be served. Service is made upon the commis-
28 sioner as agent by leaving with the commissioner, or with a clerk
29 having charge of the corporation division of the commissioner's

1 office, duplicate copies of the process, notice, or demand. Service
2 upon the commissioner must be accompanied by a fee established by the
3 department by regulation [OF \$10]. When process, notice, or demand is
4 served on the commissioner, the commissioner shall immediately forward
5 a copy of it by registered mail to the corporation at its registered
6 office. Service on the commissioner is returnable in not less than 30
7 days.

8 * Sec. 15. AS 10.05.708(a) is amended to read:

9 (a) A domestic or foreign corporation that [WHICH] is required
10 by law to file articles of incorporation with the department, except
11 corporations organized under AS 10.20 and foreign corporations or-
12 ganized under the laws of the United States or the laws of a state or
13 territory of the United States or the laws of a foreign country for
14 the same purposes as those allowed under AS 10.20, shall pay to the
15 commissioner a filing fee established by the department by regulation.
16 [THE FILING FEE SHALL BE BASED ON THE AMOUNT OF AUTHORIZED CAPITAL
17 STOCK OF THE CORPORATION. HOWEVER, AN INCREASE IN THE AMOUNT OF A
18 FILING FEE UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

19 * Sec. 16. AS 10.05.711(a) is amended to read:

20 (a) A domestic or foreign corporation, except a corporation
21 [CORPORATIONS] organized under AS 10.20 or a [AND] foreign corporation
22 [CORPORATIONS] organized under the laws of the United States or the
23 laws of a state or territory of the United States, or the laws of a
24 foreign country for the same purposes as those allowed under AS 10.20,
25 ~~filing amendatory or supplemental articles of incorporation, or a~~
26 certificate [CERTIFICATES] of increase or decrease of capital stock
27 with the department, shall pay to the commissioner

28 [(1) FOR FILING AMENDATORY OR SUPPLEMENTAL ARTICLES WHICH
29 DO NOT INCREASE CAPITAL STOCK, OR FOR FILING A CERTIFICATE OF DECREASE

1 OF CAPITAL STOCK,] a fee established by the department by regulation
2 [SUBJECT TO AS 10.05.773;

3 (2) FOR FILING AMENDATORY OR SUPPLEMENTAL ARTICLES THAT
4 INCREASE THE CAPITAL STOCK, OR FOR FILING A CERTIFICATE OF INCREASE OF
5 CAPITAL STOCK, A FEE ESTABLISHED BY THE DEPARTMENT BY REGULATION
6 SUBJECT TO AS 10.05.773 BASED ON THE AMOUNT OF CHANGE IN THE AUTHO-
7 RIZED STOCK OF THE CORPORATION].

8 * Sec. 17. AS 10.05.714 is amended to read:

9 Sec. 10.05.714. FEES ON APPOINTMENT OR REVOCATION OF APPOINT-
10 MENT OF PROCESS AGENT. (a) A foreign corporation filing with the
11 department a certificate of the appointment and consent of the agent
12 residing in the state, or a certificate of revocation of the appoint-
13 ment of the resident agent shall pay a fee to the commissioner estab-
14 lished by the department by regulation [SUBJECT TO AS 10.05.773].

15 (b) For filing a statement, mentioned in AS 10.05.054(a) and
16 (b), of change of address of registered agent, the agent shall pay a
17 fee to the commissioner established by the department by regulation
18 [SUBJECT TO AS 10.05.773].

19 * Sec. 18. AS 10.05.720 is amended to read:

20 Sec. 10.05.720. FAILURE TO PAY TAX OR MAKE REPORT AS PRECLUDING
21 SUIT BY CORPORATION AND CERTIFICATE OF PAYMENT OR FILING AS EVIDENCE.
22 A [NO] domestic or foreign corporation may not commence or maintain a
23 suit, action, or proceeding in a court in the state without alleging
24 and proving that it has paid its biennial corporation tax last due and
25 has filed its biennial report for the last reporting period. A cer-
26 tificate of the payment of the biennial corporation tax and filing of
27 the biennial report is prima facie evidence of the payment of the tax
28 and the filing of the biennial report. The commissioner shall issue
29 the certificate or a duplicate for a fee established by the department

1 by regulation [SUBJECT TO AS 10.05.773].

2 * Sec. 19. AS 10.05.747 is amended to read:

3 Sec. 10.05.747. OTHER FILING FEES. (a) The filing fee for an
4 instrument not otherwise provided for in this chapter shall be estab-
5 lished by the department by regulation [SUBJECT TO AS 10.05.773].

6 (b) The department may by regulation charge each corporation
7 subject to this chapter a fixed fee in place of the various fees
8 specified in this chapter, with the exception of AS 10.05.039, 10.05.-
9 708, and 10.05.711, and for routine administrative services rendered
10 to a corporation by the department. [AN INCREASE IN THE FIXED FEE
11 CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

12 * Sec. 20. AS 10.05.750 is amended to read:

13 Sec. 10.05.750. FEES AND PENALTIES PAYABLE ON WITHDRAWAL OF
14 FOREIGN CORPORATION. A registered foreign corporation may withdraw
15 from the state upon payment of all biennial corporation taxes and
16 penalties due at the time of desired withdrawal, and by filing with
17 the department a certificate of withdrawal, signed by its proper
18 officers and under its corporate seal. The fee for filing the certif-
19 icate with the department shall be established by the department by
20 regulation [SUBJECT TO AS 10.05.773].

21 * Sec. 21. AS 10.05.753 is amended to read:

22 Sec. 10.05.753. FEES ON DISSOLUTION OF DOMESTIC CORPORATION. A
23 domestic corporation shall pay to the commissioner for the use of the
24 state a fee established by the department by regulation [SUBJECT TO
25 AS 10.05.773] for filing the instruments provided for in this chapter
26 providing for the dissolution of domestic corporations.

27 * Sec. 22. AS 10.05.756 is amended to read:

28 Sec. 10.05.756. TAXES, PENALTIES, AND FEES ON FILING CERTIFICATE
29 OF DISSOLUTION OF FOREIGN CORPORATION. A foreign corporation desiring

1 to file a certificate of dissolution from the state of its origin may
 2 file the certificate, when signed by the proper state officer, under
 3 seal, upon payment of all biennial corporation taxes and penalties due
 4 at the time of dissolution. The filing fee [IN THE OFFICE OF THE
 5 COMMISSIONER] shall be established by the department by regulation
 6 [SUBJECT TO AS 10.05.773].

7
 8 * Sec. 23. AS 10.05.762 is amended to read:

9 Sec. 10.05.762. FEES FOR CERTIFIED COPIES OF INSTRUMENTS. The
 10 fee for furnishing a certified copy of any instrument shall be estab-
 11 lished by the department by regulation [SUBJECT TO AS 10.05.773].

12 * Sec. 24. AS 10.15.255 is amended to read:

13 Sec. 10.15.255. TERMINATION OF FILED CONTRACT. When a contract
 14 filed under AS 10.15.230 - 10.15.260 has been terminated in any
 15 manner, the cooperative shall upon demand [,] give a statement of ter-
 16 mination to the member party to the contract, who may file the state-
 17 ment in the office of the precinct recorder where the contract was
 18 originally filed. The precinct recorder shall stamp "expired" after
 19 the name of the member in the alphabetical record. The fee for the
 20 filing and stamping shall be established by the department by regu-
 21 lation [SUBJECT TO AS 10.05.773].

22 * Sec. 25. AS 10.15.260 is amended to read:

23 Sec. 10.15.260. FILING OF LIST OF TERMINATED CONTRACTS. A
 24 cooperative may file in the office of the precinct recorder where the
 25 contract was originally filed a sworn list of the names of all persons
 26 whose contracts have been terminated in a manner other than by expira-
 27 tion of their term. The precinct recorder shall stamp "expired" after
 28 the name of each of those persons in the alphabetical record. The fee
 29 for the filing and stamping shall be established by the department by
 regulation [SUBJECT TO AS 10.05.773].

1 * Sec. 26. AS 10.15.530 is amended to read:

2 Sec. 10.15.530. BIENNIAL LICENSE FEE. Each cooperative not
3 organized and operated for nonprofit religious, charitable, cemetery,
4 or educational purposes [,] shall pay to the department a biennial li-
5 cense fee. The fee shall be paid before July 2 of the reporting year.
6 [IN THE CASE OF NEW COOPERATIVES FORMED DURING A BIENNIAL PERIOD, THE
7 FEE SHALL BE PROPORTIONATE TO THE FRACTION OF THE BIENNIAL PERIOD.]

8 * Sec. 27. AS 10.15.545 is amended to read:

9 Sec. 10.15.545. LICENSE FEE FOR COOPERATIVE [WITHOUT CAPITAL
10 STOCK]. The license fee of each cooperative [HAVING NO AUTHORIZED
11 SHARES OF CAPITAL STOCK] shall be established by the department by
12 regulation [SUBJECT TO AS 10.05.773].

13 * Sec. 28. AS 10.15.555 is amended to read:

14 Sec. 10.15.555. MISCELLANEOUS FEES AND CHARGES. (a) The de-
15 partment shall establish by regulation [SUBJECT TO AS 10.05.773] and
16 charge and collect from a cooperative fees for filing

17 (1) articles of incorporation or articles of consolidation
18 for a new cooperative;

19 (2) articles of amendment, restated articles, or articles
20 of merger [, AND, IF THE ARTICLES PROVIDE FOR AN INCREASE OF THE
21 AMOUNT OF AUTHORIZED CAPITAL STOCK OF THE COOPERATIVE, THE FILING
22 COOPERATIVE SHALL ALSO PAY THE PROPORTIONATE PART OF THE ANNUAL LI-
23 CENSE FEE FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR, PAYABLE BY A
24 COOPERATIVE WHOSE AUTHORIZED SHARES EQUAL THE NEWLY INCREASED AUTHO-
25 RIZED SHARES OF THE FILING COOPERATIVE, LESS THE ANNUAL LICENSE FEE
26 ALREADY PAID FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR BY THE
27 FILING COOPERATIVE; BUT FILING ARTICLES DECREASING THE AUTHORIZED
28 SHARES DOES NOT REDUCE THE ANNUAL LICENSE FEE OF THE FILING COOPERA-
29 TIVE UNTIL THE BEGINNING OF THE FISCAL YEAR FOLLOWING THAT IN WHICH

1 THE ARTICLES WERE FILED];

2 (3) statement of intent to dissolve;

3 (4) statement of revocation of voluntary dissolution pro-
4 ceedings;

5 (5) articles of dissolution;

6 (6) all other statements.

7 (b) The department may by regulation charge each cooperative
8 corporation subject to this chapter a fixed fee in place of charging
9 cooperative corporations the various fees specified in this chapter,
10 with the exception of AS 10.15.535, (a)(1) of this section, and for
11 routine administrative services rendered to the cooperative corpora-
12 tion by the department. [AN INCREASE IN THE AMOUNT OF A FIXED FEE
13 CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

14 * Sec. 29. AS 10.20.635 is amended to read:

15
16 Sec. 10.20.635. FEES FOR FILING DOCUMENTS AND ISSUING CERTIFI-
17 CATES. (a) The commissioner shall establish by regulation [SUBJECT
18 TO AS 10.05.773], charge, and collect filing fees for

19 (1) [FILING] articles of incorporation and issuing a certi-
20 ficate of incorporation;

21 (2) [FILING] articles of amendment and issuing a certifi-
22 cate of amendment;

23 (3) [FILING] restated articles of incorporation and issuing
24 a restated certificate of incorporation;

25 (4) [FILING] articles of merger or consolidation and issu-
26 ing a certificate of merger or consolidation;

27 (5) [FILING] a statement of change of address of registered
28 office or change of registered agent, or both;

29 (6) [FILING] articles of dissolution;

(7) [FILING] an application of a foreign corporation for a

1 certificate of authority to conduct affairs in this state and issuing
2 a certificate of authority;

3 (8) [FILING] an application of a foreign corporation for an
4 amended certificate of authority to conduct affairs in this state and
5 issuing an amended certificate of authority;

6 (9) [FILING] a copy of an amendment to the articles of
7 incorporation of a foreign corporation holding a certificate of auth-
8 ority to conduct affairs in this state;

9 (10) [FILING] a copy of articles of merger of a foreign
10 corporation holding a certificate of authority to conduct affairs in
11 this state;

12 (11) [FILING] an application for withdrawal of a foreign
13 corporation and issuing a certificate of withdrawal;

14 (12) [FILING] any other statement or report, including a
15 biennial report, of a domestic or foreign corporation.

16 (b) The department may by regulation charge each corporation
17 subject to this chapter a fixed fee in place of the various fees
18 specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS
19 SECTION,] and for routine administrative services rendered to the
20 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED
21 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

22 * Sec. 30. AS 10.20.640 is amended to read:

23 Sec. 10.20.640. FEE FOR CERTIFIED COPIES OF INSTRUMENTS. The
24 fee for furnishing a certified copy of any instrument shall be estab-
25 lished by the department by regulation. [SUBJECT TO AS 10.05.773].

26 * Sec. 31. AS 10.25.530(a) is amended to read:

27 (a) The commissioner shall establish by regulation [SUBJECT TO
28 AS 10.05.773], charge, and collect [FILING] fees for

29 (1) filing articles of incorporation;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

- (2) filing articles of amendment;
- (3) filing articles of consolidation or merger;
- (4) filing articles of conversion;
- (5) filing certificate of election to dissolve;
- (6) filing articles of dissolution;
- (7) filing certificate of change of principal office and designation or change of registered office and registered agent; and
- (8) acting as agent for service of process.

* Sec. 32. AS 10.25.530(b) is amended to read:

(b) The department may by regulation charge each cooperative subject to this chapter a fixed fee in place of the various fees specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS SECTION,] and for the routine administrative services rendered to the corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

* Sec. 33. AS 10.35.060 is amended to read:

Sec. 10.35.060. FEE FOR AND DURATION OF REGISTERED NAME. The fee for the initial registration of a business name shall be established by the department by regulation [SUBJECT TO AS 10.05.773]. The year in which the registration becomes effective is considered a full year of registration and the registration is effective until the close of the fifth calendar year beginning with the year of initial registration.

* Sec. 34. AS 10.35.070 is amended to read:

Sec 10 35.070. RENEWAL OF REGISTERED NAME. A registered business name may be renewed every five years if an application for renewal is filed. An application for renewal must set out the facts required in an original application for registration and be accompanied by a renewal fee to be established by the department by

1 regulation [SUBJECT TO AS 10.05.773]. An application for renewal may
2 be filed between October 1 and December 31 of any year. The renewal
3 of the registration extends the registration for the following five
4 calendar years.

5 * Sec. 35. AS 10.40.140(a) is amended to read:

6 (a) A [ANY] document required to be filed with the commissioner
7 under this chapter shall be accompanied by a fee to be established by
8 the department by regulation [SUBJECT TO AS 10.05.773].

9 * Sec. 36. AS 12.55.105(a) is amended to read:

10 Sec. 12.55.105. PROBATION AND URINALYSIS FEES [FEE]. (a) A
11 court granting probation shall require a periodic probation fee to be
12 paid to the Department of Corrections as a condition of probation. In
13 addition, the department may charge a fee for any urinalysis that may
14 be required. The fee amounts [AMOUNT] shall be established by regu-
15 lation adopted by the commissioner of corrections.

16 * Sec. 37. AS 14.07.030 is amended to read:

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

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

20 (2) enter into contractual agreements with the Bureau of
21 Indian Affairs or with a school district to share boarding costs of
22 secondary school students;

23 (3) provide for citizenship night schools when and where
24 expedient;

25 (4) provide for the sale or other disposition of abandoned
26 or obsolete buildings and other state-owned school property;

27 (5) prescribe a classification for items of expense of
28 school districts;

29 (6) acquire and transfer personal property, acquire real

1 property, and transfer real property to federal agencies, state
2 agencies, or to political subdivisions;

3 (7) enter into contractual agreements with school districts
4 to provide more efficient or economical education services; reasonable
5 fees may be charged by the department to cover the costs of providing
6 services under an agreement, including costs for professional ser-
7 vices, reproduction or printing, and mailing and distribution of
8 educational materials;

9 (8) provide for the issuance of elementary and secondary
10 diplomas to persons not in school who have completed the equivalent of
11 an 8th or 12th grade education, respectively, in accordance with
12 standards established by the department;

13 (9) exercise disapproval power under AS 14.08.101;

14 (10) apply for, accept, and spend endowments, grants, and
15 other private money available to the state for educational purposes in
16 accordance with AS 37.07 (the Executive Budget Act);

17 (11) set student tuition and fees for educational programs
18 and services provided and schools operated by the department under the
19 provisions of [AS 14.07.020(12) AND] (1) of this section and AS 14.-
20 07.020(9), (11), and (12);

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

24 * Sec. 38. AS 14.56.030(10) is amended to read:

25 (10) establishing and charging fees for reproduction, [OR]
26 printing, and handling costs, [AND] for mailing and distributing state
27 publications and research data, and for other services authorized by
28 this chapter.

29 * Sec. 39. AS 14.56.035 is amended to read:

1 Sec. 14.56.035. ACCOUNTING FOR AND DISPOSITION OF FEES. The
2 commissioner of administration shall separately account for [PUBLICA-
3 TION AND DISTRIBUTION] fees received under AS 14.56.030(10) [AND] that
4 the department deposits in the general fund. The annual estimated
5 balance in the account may be used by the legislature to make appro-
6 priations to the department to carry out the purposes of AS 14.56.030.

7 * Sec. 40. AS 14.57.010 is amended by adding a new subsection to read:

8 (c) The department may establish by regulation, and collect,
9 reasonable user fees and other fees for services provided by the
10 department under AS 14.57.

11 * Sec. 41. AS 14.57.015 is amended to read:

12 Sec. 14.57.015. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
13 commissioner of administration shall separately account for each
14 endowment, [OR] grant, or gift from a private donor received under
15 AS 14.57.010(b)(4), and for fees collected under AS 14.57.010(c), and
16 deposited by the department in the general fund. The annual estimated
17 balance in the account may be used by the legislature to make appro-
18 priations to the department to carry out the purposes of AS 14.57.010.

19 * Sec. 42. AS 15.62 is amended by adding a new section to read:

20 Sec. 15.62.020. VOTER REGISTRATION AND ELECTION MANAGEMENT
21 SYSTEM RECEIPTS. (a) The director may sell voter registration and
22 election management system data processing software. Receipts gen-
23 erated through the sales shall be deposited in the general fund.

24 (b) The commissioner of administration shall separately account
25 for all ~~fees~~ collected through sales under (a) of this section that
26 the department deposits in the general fund. The annual estimated
27 balance in the account may be used by the legislature to make appro-
28 priations to the division of elections to carry out its responsibil-
29 ities in connection with the voter registration and election manage-

1 ment system.

2 * Sec. 43. AS 16.05.050 is amended by adding a new paragraph to read:

3 (17) to operate state housing for employees and contractors
4 in support of the department's responsibilities and to charge rent
5 that is consistent with an applicable collective bargaining agreement;
6 rent received from tenants shall be deposited in the general fund.

7 * Sec. 44. AS 16.05.053 is amended to read:

8 Sec. 16.05.053. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
9 commissioner of administration shall separately account for money
10 collected under AS 16.05.050(4), (15), [AND] (16), and (17) [AND] that
11 the department deposits in the general fund. The annual estimated
12 balance in each account may be used by the legislature to make appro-
13 priations to the department to carry out the activities for which fees
14 have been charged or for which the money was collected.

15 * Sec. 45. AS 16.10.310(a)(3) is amended to read:

16 (3) adopt regulations necessary to carry out the provisions
17 of AS 16.10.300 - 16.10.370, including regulations to establish rea-
18 sonable fees for services provided [ITS FUNCTIONS];

19 * Sec. 46. AS 16.10.310(a) is amended by adding a new paragraph to
20 read:

21 (9) charge and collect the fees established under this
22 subsection.

23 * Sec. 47. AS 16.10 is amended by adding a new section to read:

24 Sec. 16.10.312. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
25 commissioner of administration shall separately account for all fees
26 and collection charges that the department deposits in the general
27 fund. The annual estimated balance in the account may be used by the
28 legislature to make appropriations to the department to carry out the
29 purposes of AS 16.10.300 - 16.10.370.

- 1 * Sec. 48. AS 16.10.320 is amended by adding a new subsection to read:
2 (j) All principal and interest payments, and any money charge-
3 able to principal or interest that is collected through liquidation by
4 foreclosure or other process on loans made under AS 16.10.300 - 16.-
5 10.370, shall be paid into the commercial fishing revolving loan fund.
- 6 * Sec. 49. AS 16.10.340 is amended by adding a new subsection to read:
7 (b) Money in the fund may be used by the legislature to make
8 appropriations for costs of administering AS 16.10.300 - 16.10.370.
- 9 * Sec. 50. AS 16.10.505 is amended to read:
10 Sec. 16.10.505. FISHERIES ENHANCEMENT REVOLVING LOAN FUND.
11 There is created within the Department of Commerce and Economic Devel-
12 opment a revolving fund to be known as the fisheries enhancement
13 revolving loan fund. Except as provided in (b) of this section, the
14 [THE] fund shall be used to carry out the purposes of AS 16.10.500 -
15 16.10.560 and for no other purpose. All principal and interest pay-
16 ments, and money chargeable to principal or interest that is collected
17 through liquidation by foreclosure or other process on loans made
18 under AS 16.10.500 - 16.10.560, shall be paid into the fisheries
19 enhancement revolving loan fund.
- 20 * Sec. 51. AS 16.10.505 is amended by adding a new subsection to read:
21 (b) Money in the fund may be used by the legislature to make
22 appropriations for costs of administering AS 16.10.500 - 16.10.560.
- 23 * Sec. 52. AS 16.10.510(4) is amended to read:
24 (4) adopt regulations necessary to carry out the provisions
25 of AS 16.10.500 - 16.10.560, including regulations to establish rea-
26 sonable fees for services provided [HIS FUNCTIONS];
- 27 * Sec. 53. AS 16.10.510 is amended by adding a new paragraph to read:
28 (11) charge and collect the fees established under this
29 section.

1 * Sec. 54. AS 16.10 is amended by adding a new section to read:

2 Sec. 16.10.512. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
3 commissioner of administration shall separately account for all fees
4 and collection charges that the department deposits in the general
5 fund. The annual estimated balance in the account may be used by the
6 legislature to make appropriations to the department to carry out the
7 purposes of AS 16.10.500 - 16.10.560.

8 * Sec. 55. AS 18.07 is amended by adding a new section to read.

9 Sec. 18.07.035. APPLICATION AND FEES. (a) Application for a
10 certificate of need shall be made to the department upon a form pro-
11 vided by the department and must contain the information the depart-
12 ment requires to reach a decision under AS 18.07.041 - 18.07.111.
13 Each application for a certificate of need must be accompanied by an
14 application fee established by the department by regulation.

15 (b) The commissioner of administration shall separately account
16 for fees collected under this section that the department deposits in
17 the general fund. The annual estimated balance in the account may be
18 used by the legislature to make appropriations to the department.

19 * Sec. 56. AS 18.20.030 is amended to read:

20 Sec. 18.20.030. APPLICATION AND FEES. Application for a license
21 shall be made to the department upon a form provided by it, and must
22 [SHALL] contain the information the department requires, which may in-
23 clude affirmative evidence of ability to comply with the reasonable
24 standards and regulations adopted under AS 18.20.060 - 18.20.080.
25 Each application for a license must [SHALL] be accompanied by a li-
26 cense fee established by the department by regulation [OF \$10]. The
27 department shall deposit all fees received in the general fund [STATE
28 TREASURY].

29 * Sec. 57. AS 18.20.030 is amended by adding a new subsection to read:

1 (b) The commissioner of administration shall separately account
2 for fees collected under this section that the department deposits in
3 the general fund. The annual estimated balance in the account may be
4 used by the legislature to make appropriations to the department for
5 the purposes of this chapter.

6 * Sec. 58. AS 18.20.040 is amended to read:

7 Sec. 18.20.040. ISSUANCE AND RENEWAL OF LICENSE AND POSTING.
8 Upon receipt of an application for license and the license fee, the
9 department shall issue a license if the applicant meets the require-
10 ments established under AS 18.20.060 - 18.20.080. If the applicant
11 does not meet the requirements established under AS 18.20.060 - 18.-
12 20.080 but makes continued efforts to comply with them, the department
13 may grant a temporary or provisional license for a reasonable period
14 of time. A license, unless suspended or revoked, is renewable annual-
15 ly [WITHOUT CHARGE] upon filing by the licensee [,] and approval by
16 the department of an annual report on the uniform date and containing
17 the information in the form the department prescribes by regulation.
18 Each license issued is for the premises and person or governmental
19 unit named in the application and is not transferable or assignable
20 except with the written approval of the department. Licenses shall
21 be posted in a conspicuous place on the licensed premises.

22 * Sec. 59. AS 18.65.410 is amended to read:

23 Sec. 18.65.410. APPLICATIONS. Application for a license as a
24 security guard shall [MUST] be made on forms provided by the commis-
25 sioner. The application must require the furnishing of information
26 reasonably required by the commissioner to carry out the provisions of
27 AS 18.65.400 - 18.65.490, including classifiable fingerprints to
28 enable the search of criminal indices for evidence of a prior criminal
29 record. The application must be accompanied by a nonrefundable appli-

1 cation fee in an amount set by the Department of Public Safety by
2 regulation [OF \$25] for a security guard and [\$200] for a security
3 guard agency.

4 * Sec. 60. AS 18.65 is amended by adding a new section to read:

5 Sec. 18.65.415. ACCOUNTING FOR AND DISPOSITION OF FEES. The
6 commissioner of administration shall separately account for fees
7 collected under AS 18.65.410 and 18.65.430 that the Department of
8 Public Safety deposits in the general fund. The annual estimated
9 balance in the account may be used by the legislature to make appro-
10 priations to the department to carry out the purposes of AS 18.65.-
11 400 - 18.65.490.

12 * Sec. 61. AS 18.65.430 is amended to read:

13 Sec. 18.65.430. DURATION OF LICENSE. A security guard license
14 issued under AS 18.65.400 - 18.65.490 is valid for a period of two
15 years and may be renewed for additional two-year terms. A renewal fee
16 set by the Department of Public Safety by regulation [OF \$25] must be
17 paid for each renewal.

18 * Sec. 62. AS 19.25.010 is amended to read:

19 Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES. A utility
20 facility may be constructed, placed, or maintained across, along,
21 over, under or within a state right-of-way only in accordance with
22 regulations prescribed by the department and if authorized by a writ-
23 ten permit issued by the department. The department may charge a fee
24 for a permit issued under this section. The commissioner of adminis-
25 tration shall separately account for utility permit fees and the
26 department deposits in the general fund. The annual estimated balance
27 in the account may be used by the legislature to make appropriations
28 to the department to carry out the purposes of this chapter.

29 * Sec. 63. AS 19.60.030 is amended to read:

1 Sec. 19.60.030. REGULATIONS. The department may adopt [RULES
2 AND] regulations governing the use of ferry terminal facilities by the
3 public that [WHICH] it considers necessary and proper in the public
4 interest. The department may charge a fee for the use of ferry termi-
5 nal facilities, whether the use is under a permit or otherwise, and
6 whether it is by one or more individuals. The commissioner of admin-
7 istration shall separately account for permit fees and use fees that
8 the department deposits in the general fund. The annual estimated
9 balance in the account may be used by the legislature to make appro-
10 priations to the department to carry out the purposes of this chapter.

11 * Sec. 64. AS 24.20.050 is amended by adding a new subsection to read:

12 (b) The executive director may establish reasonable fees for
13 services and materials provided by the Legislative Affairs Agency to
14 entities outside of the legislative branch of state government and
15 charges for collecting the fees. All fees and charges collected by
16 the agency shall be deposited into the general fund. The commissioner
17 of administration shall separately account for all fees and collection
18 charges that the agency deposits in the general fund. The annual
19 estimated balance in the account may be used by the legislature to
20 make appropriations to the agency to carry out the functions of the
21 agency.

22 * Sec. 65. AS 26.15.030(a) is amended to read:

23 (a) The Department of Commerce and Economic Development shall
24 formulate general policies and adopt regulations, including regula-
25 tions to establish reasonable fees for services provided

26 * Sec. 66. AS 26.15.030(c) is amended by adding a new paragraph to
27 read:

28 (8) charge and collect the fees established under this
29 section.

1 * Sec. 67. AS 26.15 is amended by adding a new section to read:

2 Sec. 26.15.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
3 commissioner of administration shall separately account for all fees
4 and collection charges that the Department of Commerce and Economic
5 Development deposits in the general fund. The annual estimated bal-
6 ance in the account may be used by the legislature to make appropria-
7 tions to that department to carry out the purposes of this chapter.

8 * Sec. 68. AS 26.15.040(d) is amended to read:

9 (d) Money loaned shall be delivered to the borrower in the form
10 of a warrant drawn on the treasury, vouchered in the manner prescribed
11 for state disbursing officers, and charged against the Alaska World
12 War II veterans' revolving fund. Each voucher shall be approved by
13 the commissioner of commerce and economic development or any bonded
14 deputy authorized to act as a certifying officer. Upon repayment of
15 loans by installments, or otherwise, in accordance with the prescribed
16 terms, or upon liquidation by foreclosure or other process, or upon
17 receipt of interest [OR OTHER REVENUE], the money so received shall be
18 turned over to the commissioner of revenue for deposit in the Alaska
19 World War II veterans' revolving fund.

20 * Sec. 69. AS 26.15.090 is amended by adding a new subsection to read:

21 (b) Money in the fund may be used by the legislature to make
22 appropriations for costs of administering this chapter.

23 * Sec. 70. AS 27.09.010(b) is amended to read:

24 (b) The mining loan fund is a revolving fund consisting of
25 appropriations made to the fund by the legislature, [AND] repayments
26 of principal and interest, and any money chargeable to principal or
27 interest that is collected through liquidation by foreclosure or other
28 process on loans made from the fund. Money appropriated to or repaid
29 into the fund does not lapse under AS 37.25.010. Money in the fund

1 may be used by the legislature to make appropriations for costs of
2 administering the fund.

3 * Sec. 71. AS 27.09.050 is amended to read:

4 Sec. 27.09.050. REGULATIONS. The department may adopt regu-
5 lations necessary to carry out the provisions of this chapter, includ-
6 ing regulations to establish reasonable fees for services provided [IN
7 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62) TO ADMIN-
8 ISTER THIS CHAPTER]. Regulations adopted under this section shall be
9 prepared after consultation with the Department of Natural Resources
10 or after consultation with a person who, in the opinion of the commis-
11 sioner of commerce and economic development or a designee, has broad
12 experience in and is highly qualified in advanced mineral exploration,
13 development, and mining.

14 * Sec. 72. AS 27.09 is amended by adding a new section to read:

15 Sec. 27.09.055. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
16 commissioner of administration shall separately account for all fees
17 and collection charges that the department collects under this chapter
18 and deposits in the general fund. The annual estimated balance in the
19 account may be used by the legislature to make appropriations to the
20 department to carry out the purposes of this chapter.

21 * Sec. 73. AS 29.25 is amended by adding a new section to read:

22 Sec. 29.25.075. COLLECTION OF PENALTIES. The court may collect
23 for a municipality any monetary penalty or item to be forfeited as a
24 result of the violation of an ordinance. The supreme court may
25 prescribe by rule the fees to be charged by all courts to
26 municipalities for providing collection services under this section.

27 * Sec. 74. AS 33.30.041 is amended by adding a new subsection to read:

28 (d) The commissioner of administration shall separately account
29 for payments received under agreements entered into under this section

1 that the department deposits in the general fund. The annual esti-
2 mated balance in the account may be used by the legislature to make
3 appropriations to the department for the operation of state correc-
4 tional facilities.

5 * Sec. 75. AS 33.30.131 is amended by adding a new subsection to read:

6 (e) The commissioner of administration shall separately account
7 for prisoner earnings collected under (b)(1) and (3) of this section
8 and deposited in the general fund. The annual estimated balance in
9 the account may be used by the legislature to make appropriations to
10 the department to carry out the provisions of this section.

11 * Sec. 76. AS 35.10.210 is amended to read:

12 Sec. 35.10.210. USE OF PUBLIC FACILITIES FOR UTILITIES. A
13 utility facility may be constructed, placed, or maintained across,
14 along, over, under, or within a state public facility only in accor-
15 dance with regulations adopted or procedures prescribed by the depart-
16 ment and only if authorized by a written permit issued by the depart-
17 ment. The department may charge a fee for a permit issued under this
18 section. The commissioner of administration shall separately account
19 for utility permit fees 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. 77. AS 35.10.230 is amended to read:

24 Sec. 35.10.230. ENCROACHMENT PERMITS. An encroachment may be
25 constructed, placed, changed, or maintained across or within a public
26 facility, but only in accordance with regulations or procedures adopt-
27 ed by the department. An encroachment may not be constructed, placed,
28 maintained, or changed until it is authorized by a written permit
29 issued by the department, unless the department provides otherwise by

1 regulation. The department may charge a fee for a permit issued under
2 this section. The commissioner of administration shall separately
3 account for encroachment permit fees that the department deposits in
4 the general fund. The annual estimated balance in the account may be
5 used by the legislature to make appropriations to the department to
6 carry out the purposes of this chapter.

7 * Sec. 78. AS 38.05.035 is amended by adding a new subsection to read:

8 (g) The commissioner of administration shall separately account
9 for all fees collected under (b)(2), (3), (5), (7), and (f) of this
10 section that the department deposits in the general fund. The annual
11 estimated balance in the account may be used by the legislature to
12 make appropriations to the department to carry out the purposes of
13 (b)(2), (3), (5), (7), and (f) of this section.

14 * Sec. 79. AS 38.05.068 is amended by adding a new subsection to read:

15 (e) The commissioner of administration shall separately account
16 for all fees collected under this section that the department deposits
17 in the general fund. The annual estimated balance in the account may
18 be used by the legislature to make appropriations to the department to
19 carry out the purposes of this section.

20 * Sec. 80. AS 38.05.070 is amended by adding a new subsection to read:

21 (d) The commissioner of administration shall separately account
22 for all fees collected under this section that the department deposits
23 in the general fund. The annual estimated balance in the account may
24 be used by the legislature to make appropriations to the department to
25 carry out the purposes of this section.

26 * Sec. 81. AS 38.05.082 is amended by adding a new subsection to read:

27 (f) The commissioner of administration shall separately account
28 for all fees collected under this section that the department deposits
29 in the general fund. The annual estimated balance in the account may

1 be used by the legislature to make appropriations to the department to
2 carry out the purposes of this section.

3 * Sec. 82. AS 38.05.102 is amended to read:

4 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold
5 created under AS 38.05.070 - 38.05.105 is offered for sale or long-
6 term lease at the termination of the existing leasehold, the director
7 may, upon a finding that it is in the best interest of the state,
8 allow the holder in good standing of that leasehold to purchase or
9 lease the land for its appraised fair market value at the time of the
10 sale or long-term lease. The commissioner of administration shall
11 separately account for all fees collected under 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. 83. AS 38.05.120 is amended by adding a new subsection to read:

16 (b) The commissioner of administration shall separately account
17 for all money collected under this section that the department de-
18 posits in the general fund. The annual estimated balance in the
19 account may be used by the legislature to make appropriations to the
20 department to carry out the purposes of this section, AS 38.05.110,
21 and AS 41.17.300.

22 * Sec. 84. AS 38.35.140(b) is amended to read:

23 (b) The lessee shall reimburse the state for all reasonable
24 costs incurred in processing an application filed under AS 38.35.050
25 and in monitoring the construction of the pipeline on the right-of-
26 way. The commissioner of administration shall separately account for
27 money received under this section [SUBSECTION] that the Department of
28 Natural Resources deposits in the general fund. The annual estimated
29 balance in the account may be used by the legislature to make

1 appropriations to the department to carry out the purposes of AS 38.35
2 [THIS SECTION].

3 * Sec. 85. AS 38.95.240(b) is amended to read:

4 (b) If it is determined that the plaintiff is entitled to the
5 property, the department shall deliver the property to the plaintiff.
6 The rents, profits, interest, or dividends that accrue to the state
7 during its possession of the property are the property of the state
8 and may not be recovered. The commissioner of administration shall
9 separately account for all money collected under this subsection that
10 the department deposits in the general fund. The annual estimated
11 balance in the account may be used by the legislature to make appro-
12 priations to the department to carry out the purposes of AS 38.95.230.

13 * Sec. 86. AS 38.95.250 is amended by adding a new subsection to read:

14 (b) All money collected under (a) of this section not required
15 to be kept in the escheated real property trust account shall be
16 deposited in the general fund. The commissioner of administration
17 shall separately account for all money that the department deposits in
18 the general fund. The annual estimated balance in the account may be
19 used by the legislature to make appropriations to the department to
20 carry out the purposes of AS 38.95.230.

21 * Sec. 87. AS 39.25.050 is amended by adding a new subsection to read:

22 (b) The director of personnel may contract with municipalities,
23 private organizations, and other persons to provide personnel research
24 or personnel training services for them and charge a fee for doing so.

25 * Sec. 88. AS ~~41.35.045~~ is amended by adding a new subsection to read:

26 (c) The commissioner of administration shall separately account
27 for all fees collected under this section that the department deposits
28 in the general fund. The annual estimated balance in the account may
29 be used by the legislature to make appropriations to the department to

1 carry out the purposes of this chapter.

2 * Sec. 89. AS 44.21 is amended by adding a new section to article 1 to
3 read:

4 Sec. 44.21.070. ACCOUNTING FOR AND DISPOSITION OF FEES. The
5 commissioner of administration shall separately account for each type
6 of fee collected by the Department of Administration that the depart-
7 ment deposits in the general fund. The annual estimated balance in
8 the accounts may be used by the legislature to make appropriations to
9 the department to carry out its functions.

10 * Sec. 90. AS 44.23 is amended by adding a new section to read:

11 Sec. 44.23.025. DEPARTMENT HOUSING. The Department of Law may
12 operate state housing in support of its statutory responsibilities and
13 may charge rent consistent with an applicable collective bargaining
14 agreement. The commissioner of administration shall separately ac-
15 count for housing program receipts that the Department of Law deposits
16 in the general fund. The annual estimated balance in the account may
17 be used by the legislature to make appropriations to the department to
18 carry out the housing program.

19 * Sec. 91. AS 44.33.240 is amended by adding a new subsection to read:

20 (b) The department may use money in the fund for costs of admin-
21 istering AS 44.33.240 - 44.33.275.

22 * Sec. 92. AS 44.33.245(a) is amended to read:

23 (a) The department may

24 (1) make loans for the construction, renovation, and equip-
25 ping of child care facilities. including private nonprofit child care
26 facilities;

27 (2) adopt regulations necessary to carry out the provisions
28 of AS 44.33.240 - 44.33.275, including regulations to establish rea-
29 sonable fees for services provided and charges for collecting the

1 fees; and

2 (3) collect the fees and charges established under this
3 subsection.

4 * Sec. 93. AS 44.33 is amended by adding a new section to read:

5 Sec. 44.33.247. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
6 commissioner of administration shall separately account for all fees
7 and collection charges that the department deposits in the general
8 fund. The annual estimated balance in the account may be used by the
9 legislature to make appropriations to the department to carry out the
10 purposes of AS 44.33.240 - 44.33.275.

11 * Sec. 94. AS 44.33.255(d) is amended to read:

12 (d) All principal and interest payments, and any money charge-
13 able to principal or interest that is collected through liquidation by
14 foreclosure or other process on loans made under AS 44.33.240 - 44.-
15 33.275, shall be paid into the child care facility revolving loan
16 fund.

17 * Sec. 95. AS 44.33.600 is amended by adding a new subsection to read:

18 (c) Money in the fund may be used by the legislature to make
19 appropriations for costs of administering AS 44.33.600 - 44.33.630.

20 * Sec. 96. AS 44.41.020 is amended by adding new subsections to read:

21 (c) The Department of Public Safety may enter into agreements
22 with federal agencies, state or local government agencies, private
23 nonprofit agencies, or individuals to provide forensic laboratory
24 services. Reasonable fees may be charged by the department to cover
25 the costs of providing services under these agreements, including
26 personnel costs necessary to perform these services, maintenance, or
27 replacement of equipment needed to perform these services, and the
28 cost of supplies used in performing these services. The commissioner
29 of administration shall separately account for the forensic laboratory

1 fees that the Department of Public Safety deposits in the general
2 fund. The annual estimated balance in the account may be used by the
3 legislature to make appropriations to the department to carry out the
4 purposes of this subsection.

5 (d) The Department of Public Safety may operate state housing in
6 support of the department's statutory responsibilities and charge rent
7 consistent with an applicable collective bargaining agreement. Rent
8 received from tenants must be deposited in the general fund. The
9 commissioner of administration shall separately account for rent
10 received under the housing program. The annual estimated balance in
11 the account may be used by the legislature to make appropriations to
12 the Department of Public Safety to carry out the residential housing
13 program.

14 * Sec. 97. AS 44.41.025 is amended by adding a new subsection to read:

15 (b) The commissioner of public safety may establish by regu-
16 lation and the Department of Public Safety may charge a reasonable fee
17 to be paid by a person requesting a criminal history record check or a
18 copy of the person's criminal history record from confidential files
19 maintained by the department. The commissioner of administration
20 shall separately account for fees collected under this subsection that
21 the Department of Public Safety deposits in the general fund. The
22 annual estimated balance in the account may be used by the legislature
23 to make appropriations to the department to carry out the purposes of
24 this subsection.

25 * Sec. 98. AS 44.42.020(b) is amended to read.

26 (b) The department may

27 (1) engage in experimental projects relating to available
28 or future modes of transportation and any means of improving existing
29 transportation facilities and service;

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

3 (3) publish plans, schedules, directories, guides, and
4 manuals for distribution, with or without charge, to private or public
5 entities or persons;

6 (4) operate state housing in support of the department's
7 statutory responsibilities and charge rent that is consistent with an
8 applicable collective bargaining agreement;

9 (5) charge reasonable fees to cover the costs of issuing
10 easements, licenses, and permits and to cover the costs of reproduc-
11 tion, printing, mailing, and distribution of contract and bid docu-
12 ments and design and construction standards manuals.

13 * Sec. 99. AS 44.42 is amended by adding a new section to read:

14 Sec. 44.42.026. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
15 commissioner of administration shall separately account for rent and
16 fees received by the Department of Transportation and Public Facil-
17 ities under AS 44.42.020(b)(4) and (5) and deposited in the general
18 fund. The annual estimated balance in the accounts may be used by the
19 legislature to make appropriations to the department to carry out its
20 functions under AS 44.42.020.

21 * Sec. 100. AS 44.46 is amended by adding a new section to article 1 to
22 read:

23 Sec. 44.46.025. FEES FOR SERVICES. (a) The department may, by
24 regulation, prescribe reasonable fees for services provided by the
25 department, including fees for services provided under AS 02.05,
26 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020. The department
27 shall collect the fees and deposit them in the general fund.

28 (b) The commissioner of administration shall separately account
29 for service fees collected and deposited in the general fund by the

1 Department of Environmental Conservation. 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 its functions under AS 03.05,
4 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020.

5 * Sec. 101. AS 44.47.380 is amended by adding a new subsection to read:

6 (b) Money in the fund may be used by the legislature to make
7 appropriations for costs of administering the housing assistance
8 program.

9 * Sec. 102. AS 44.50.040 is amended to read:

10 Sec. 44.50.040. FEES. The lieutenant governor may, by regu-
11 lation, prescribe the fee for a notary public commission. The [A] fee
12 [OF \$20] shall be paid to the lieutenant governor for each commission
13 issued to a person other than [TO] a state employee. The lieutenant
14 governor shall deposit the fees in the general fund.

15 * Sec. 103. AS 44.50.040 is amended by adding a new subsection to read:

16 (b) The commissioner of administration shall separately account
17 for notary public commission fees deposited in the general fund by the
18 lieutenant governor. The annual estimated balance in the account may
19 be used by the legislature to make appropriations to the lieutenant
20 governor's office to carry out this chapter.

21 * Sec. 104. AS 44.83.170 is amended by adding new subsections to read:

22 (i) Money in the power project fund may be used by the legisla-
23 ture to make appropriations for costs of administering the fund.

24 (j) The authority may make loans from the power project fund to
25 the authority to pay the cost of feasibility studies, design, and
26 construction of transmission projects. The authority shall repay the
27 principal amount of loans made under this subsection to the fund from
28 revenue identified at the time that the loan is made. The authority
29 may not charge interest on a loan under this subsection.

1 * Sec. 105. AS 44.83.187(d) is amended to read:

2 (d) The provisions of AS 44.83.177 - 44.83.185 do not apply to
3 (1) an addition, modification, repair, reconstruction,
4 design, acquisition, or construction for the purpose of completing a
5 project;

6 (2) the construction of an electrical transmission or dis-
7 tribution facility [THAT IS ESTIMATED TO COST LESS THAN \$3,000,000].

8 * Sec. 106. AS 44.83.361 is amended by adding a new subsection to read:

9 (g) Money in the rural electrification revolving loan fund may
10 be used by the legislature to make appropriations for costs of ad-
11 ministering the fund.

12 * Sec. 107. AS 45.87.010 is amended by adding a new subsection to read:

13 (b) Money in the fund may be used by the legislature to make
14 appropriations for costs of administering this chapter.

15 * Sec. 108. AS 45.87.020(c) is amended to read:

16 (c) Repayments of the principal, the interest, and the money
17 chargeable to principal or interest that is collected through liq-
18 uidation by foreclosure or other process on a loan made under this
19 chapter [FROM THE BULK FUEL REVOLVING LOAN FUND] shall be paid [BY THE
20 COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT] into the bulk fuel
21 revolving loan fund.

22 * Sec. 109. AS 45.87.060 is amended to read:

23 Sec. 45.87.060. REGULATIONS. The department may [SHALL] adopt
24 regulations necessary to carry out the provisions of [TO IMPLEMENT]
25 this chapter, including regulations to establish reasonable fees for
26 services provided and charges for collecting the fees.

27 * Sec. 110. AS 45.87 is amended by adding a new section to read:

28 Sec. 45.87.065. FEES. The department may collect the fees and
29 collection charges established under AS 45.87.060 and shall deposit

1 the money in the general fund. The commissioner of administration
2 shall separately account for all fees and collection charges that the
3 department deposits in the general fund. The annual estimated balance
4 in the account may be used by the legislature to make appropriations
5 to the department to carry out the purposes of this chapter.

6 * Sec. 111. AS 45.88.010 is amended by adding a new subsection to read:

7 (b) Money in the fund may be used by the legislature to make
8 appropriations for costs of administering this chapter.

9 * Sec. 112. AS 45.88.020(a) is amended to read:

10 (a) The department may

11 (1) make loans for the purchase, construction, and instal-
12 lation of alternative energy systems;

13 (2) adopt regulations necessary to carry out the provisions
14 of this chapter, including regulations to establish reasonable fees
15 for services provided and charges for collecting the fees;

16 (3) collect the fees and collection charges established
17 under this subsection.

18 * Sec. 113. AS 45.88 is amended by adding a new section to read:

19 Sec. 45.88.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
20 commissioner of administration shall separately account for all fees
21 and collection charges that the department deposits in the general
22 fund. The annual estimated balance in the account may be used by the
23 legislature to make appropriations to the department to carry out the
24 purposes of this chapter.

25 * Sec. 114. AS 45.88.030(d) is amended to read:

26 (d) All principal and interest payments, and money chargeable to
27 principal or interest that is collected through liquidation by fore-
28 closure or other process on loans made under this chapter, shall be
29 paid into the alternative [TECHNOLOGY AND] energy revolving loan fund.

1 * Sec. 115. AS 45.89.010 is amended by adding a new subsection to read:

2 (b) Money in the fund may be used by the legislature to make
3 appropriations for costs of administering this chapter.

4 * Sec. 116. AS 45.89.030(h) is amended to read:

5 (h) All principal and interest payments, and money chargeable to
6 principal or interest that is collected through liquidation by fore-
7 closure or other process [AMOUNTS REPAID] on a loan made under this
8 chapter, [SECTION] shall be paid into [DEPOSITED TO] the residential
9 energy conservation fund.

10 * Sec. 117. AS 45.89.070 is amended to read:

11 Sec. 45.89.070. REGULATIONS. The department shall adopt regu-
12 lations necessary to carry out the provisions of [IMPLEMENT] this
13 chapter, including regulations to establish reasonable fees for
14 services provided and charges for collecting the fees.

15 * Sec. 118. AS 45.89 is amended by adding a new section to read:

16 Sec. 45.89.075. FEES. The department may collect the fees and
17 collection charges established under AS 45.89.070. The commissioner
18 of administration shall separately account for all fees and collection
19 charges that the department deposits in the general fund. The annual
20 estimated balance in the account may be used by the legislature to
21 make appropriations to the department to carry out the purposes of
22 this chapter.

23 * Sec. 119. AS 45.90.010 is amended to read:

24 Sec. 45.90.010. CREATION OF A TOURISM REVOLVING FUND. There is
25 created in the Department of Commerce and Economic Development a
26 tourism revolving fund. All principal and interest payments, and
27 money chargeable to principal or interest that is collected through
28 liquidation by foreclosure or other process on loans made under this
29 chapter, shall be paid into the tourism revolving fund.

1 * Sec. 120. AS 45.90.010 is amended by adding a new subsection to read:

2 (b) Money in the fund may be used by the legislature to make
3 appropriations for costs of administering this chapter.

4 * Sec. 121. AS 45.90.020(a) is amended to read:

5 (a) The department may

6 (1) make loans to a business directly involved in the
7 tourist industry;

8 (2) designate agents and delegate powers to them as is
9 necessary;

10 (3) adopt regulations necessary to carry out its functions,
11 including regulations to establish reasonable fees for services pro-
12 vided and charges for collecting the fees;

13 (4) establish amortization plans for the repayment of loans
14 not to exceed 20 years;

15 (5) collect the fees and collection charges established
16 under this subsection.

17 * Sec. 122. AS 45.90 is amended by adding a new section to read:

18 Sec. 45.90.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
19 commissioner of administration shall separately account for all fees
20 and collection charges that the department deposits in the general
21 fund. The annual estimated balance in the account may be used by the
22 legislature to make appropriations to the department to carry out the
23 purposes of this chapter.

24 * Sec. 123. AS 45.95.010(a) is amended to read:

25 (a) The Department of Commerce and Economic Development shall
26 formulate general policies and adopt regulations necessary to carry
27 out the provisions of this chapter, including regulations to establish
28 fees for services provided and charges for collecting the fees. The
29 department may collect the fees and collection charges established.

1 The commissioner of administration shall separately account for all
2 fees and collection charges that the department deposits in the gen-
3 eral fund. The annual estimated balance in the account may be used by
4 the legislature to make appropriations to the department to carry out
5 the purposes of this chapter.

6 * Sec. 124. AS 45.95.020(d) is amended to read:

7 (d) Money loaned shall be delivered to the borrower in the form
8 of a warrant drawn on the treasury, vouchered in the manner prescribed
9 for state disbursing officers, and charged against the small business
10 revolving loan fund. Each voucher shall be approved by the commis-
11 sioner or a [ANY] bonded deputy authorized to act as a certifying
12 officer. Upon repayment of loans by installments, or otherwise, in
13 accordance with the prescribed terms, or upon liquidation by
14 foreclosure or other process, or upon receipt of interest [OR OTHER
15 REVENUE], the money so received shall be turned over to the
16 commissioner of revenue for deposit in the small business revolving
17 loan fund.

18 * Sec. 125. AS 45.95.060 is amended by adding a new subsection to read:

19 (b) Money in the fund may be used by the legislature to make
20 appropriations for costs of administering this chapter.

21 * Sec. 126. AS 45.98.010 is amended to read:

22 Sec. 45.98.010. CREATION OF HISTORICAL DISTRICT REVOLVING LOAN
23 FUND. There is created in the Department of Commerce and Economic
24 Development a historical district revolving loan fund. All principal
25 and interest payments, and money chargeable to principal or interest
26 that is collected through liquidation by foreclosure or other process
27 on loans made under this chapter, shall be paid into the historical
28 district revolving fund.

29 * Sec. 127. AS 45.98.010 is amended by adding a new subsection to read:

1 (b) Money in the fund may be used by the legislature to make
2 appropriations for costs of administering this chapter.

3 * Sec. 128. AS 45.98.030 is amended to read:

4 Sec. 45.98.030. POWERS AND DUTIES OF THE DEPARTMENT. For pur-
5 poses of administering this chapter, the Department of Commerce and
6 Economic Development may

7 (1) prescribe the form and procedure for submitting loan
8 applications under this chapter;

9 (2) designate agents and delegate powers to them as is
10 necessary;

11 (3) in consultation with the Historic Sites Advisory Com-
12 mittee, adopt regulations necessary to carry out its functions, in-
13 cluding regulations for the process of plan approval by the committee
14 and regulations to establish reasonable fees for services provided and
15 charges for collecting the fees;

16 (4) establish amortization plans for the repayment of loans
17 not to exceed 30 years;

18 (5) collect the fees and collection charges established
19 under this section.

20 * Sec. 129. AS 45.98 is amended by adding a new section to read:

21 Sec. 45.98.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
22 commissioner of administration shall separately account for all fees
23 and collection charges that the department deposits in the general
24 fund. The annual estimated balance in the account may be used by the
25 legislature to make appropriations to the department to carry out the
26 purposes of this chapter.

27 * Sec. 130. AS 47.05.070 is amended by adding a new subsection to read:

28 (e) The commissioner of administration shall separately account
29 for third-party collections that the department deposits in the gener-

1 al fund. The annual estimated balance in the account may be used by
2 the legislature to make appropriations to the department to carry out
3 the purposes of AS 47.07.

4 * Sec. 131. AS 47.05 is amended by adding a new section to read:

5 Sec. 47.05.080. RETENTION OF OVERPAYMENTS COLLECTED. (a)
6 Benefit overpayments collected by the department in administering
7 programs under AS 47.25.120 - 47.25.300 (general relief), AS 47.25.-
8 310 - 47.25.420 (aid to families with dependent children), AS 47.25.-
9 430 - 47.25.615 (adult public assistance), and AS 47.25.975 - 47.25.-
10 990 (food stamps) shall be remitted to the Department of Revenue under
11 AS 37.10.050(a).

12 (b) The commissioner of administration shall separately account
13 for overpayment collections that the department deposits in the
14 general fund. The annual estimated balance in the account may be used
15 by the legislature to make appropriations to the department for costs
16 of administering the programs listed in (a) of this section.

17 * Sec. 132. Notwithstanding AS 37.10.050(a), as amended by sec. 1, ch.
18 138, SLA 1986, a fee charged by an agency under a regulation that was
19 adopted before July 1, 1987, under authority of a statute that does not
20 expressly authorize a charge for a service is valid if it would have been
21 valid before the 1986 amendment of AS 37.10.050(a). The regulation and fee
22 remain in effect, and the agency may charge for the service, until the
23 regulation is repealed or amended by the agency. To amend the regulation
24 to change the fee, the agency shall meet the standard of AS 37.10.050(a).

25 * Sec. 133. In preparing the governor's budget for fiscal year 1989,
26 proposed general fund appropriations that are based on estimated general
27 fund program receipts as defined in AS 01.10.060(15), enacted in sec. 1 of
28 this Act, shall be identified as general fund/program receipts and shall be
29 included in the funding source designation as part of the general fund

1 total.

2 * Sec. 134. A loan made under AS 44.83.170(j), added by sec. 104 of
3 this Act, before January 1, 1989, to the authority for the Fairbanks-Kenai
4 Peninsula Intertie shall be repaid from revenue from the Bradley Lake
5 hydroelectric project after the revenue bonds for that project are retired.

6 * Sec. 135. AS 10.05.708(b), 10.05.711(b), 10.05.773; AS 10.15.535,
7 10.15.540; AS 46.03.020(12) and 46.03.025 are repealed.

8 * Sec. 136. This Act takes effect July 1, 1987.
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 263 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the financial administration of
7 state government; the provision of and charges for
8 state services; accounting for and disposition of
9 state receipts; and providing for an effective date."

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

11 * Section 1. AS 01.10.060 is amended by adding a new paragraph to read:

12 (15) "program receipts" means fees, charges, income earned
13 on assets, and other state money received by a state agency in connec-
14 tion with the performance of its functions; all program receipts
15 except the following are general fund program receipts:

16 (A) federal receipts;

17 (B) receipts of the following intergovernmental ser-
18 vice funds:

19 (i) highway working capital fund (AS 44.74.010);

20 (ii) correctional industries fund (AS 33.32.020);

21 (C) receipts of the following enterprise funds:

22 (i) loan funds;

23 (ii) international airport revenue fund (AS 37.-
24 15.430);

25 (iii) funds managed by the Alaska Housing Finance
26 Corporation (AS 18.56.020), the Alaska Industrial Develop-
27 ment Authority (AS 44.88.020), or the Municipal Bond Bank
28 Authority (AS 44.85.020);

29 (D) University of Alaska receipts (AS 14.40.490);

- 1 (E) receipts of the following special revenue funds:
2 (i) fish and game fund (AS 16.05.100);
3 (ii) school fund (AS 43.50.140);
4 (iii) training and building fund (AS 23.20.130);
5 (F) receipts of the following trust funds:
6 (i) retirement funds (AS 14.25, AS 22.25, AS 26.-
7 05.222, AS 39.35, and former AS 39.37);
8 (ii) permanent fund (art. IX, sec. 15, Alaska
9 Constitution);
10 (iii) public school fund (AS 37.14.110);
11 (iv) second injury fund (AS 23.30.040);
12 (v) fishermen's fund (AS 23.35.060).

13 * Sec. 2. AS 02.15.090(a) is amended to read:

14 (a) [STATE OPERATION.] In operating an airport or air naviga-
15 tion facility owned or controlled by the state, the department may
16 enter into contracts, leases, and other arrangements covering periods
17 not exceeding 55 years with a person or municipality or the United
18 States, granting the privilege of using or improving an airport or air
19 navigation facility or a portion of it or space in it for commercial,
20 [OR] governmental, or other purposes; or conferring the privilege of
21 supplying goods, commodities, services, or facilities at an airport or
22 air navigation facility. The department may establish the terms and
23 conditions and fix the charges, rentals, and fees for the privileges
24 or services that [, WHICH] are reasonable and uniform for the same
25 class of privilege or service. These terms, conditions, charges,
26 rentals, and fees shall be established with due regard to the property
27 and improvements used and the expense of operation to the state. In
28 no case shall the public be deprived of its rightful, equal, and
29 uniform use of the airport, air navigation facility, or a portion of

1 them [THEREOF].

2 * Sec. 3. AS 02.15.090 is amended by adding a new subsection to read:

3 (c) The commissioner of administration shall separately account
4 for charges, rentals, and fees collected under this section and depos-
5 ited in the general fund. The annual estimated balance in the account
6 may be used by the legislature to make appropriations to the depart-
7 ment to carry out the purposes of this chapter.

8 * Sec. 4. AS 02.15.102 is amended to read:

9 Sec. 02.15.102. USE OF AIRPORTS FOR UTILITIES. A utility facil-
10 ity may be constructed, placed, or maintained across, along, over,
11 under, or within a state airport only in accordance with regulations
12 adopted or procedures prescribed by the department and only if au-
13 thorized by a written permit issued by the department. The department
14 may charge a fee for a permit issued under this section. The commis-
15 sioner of administration shall separately account for utility permit
16 fees that the department deposits in the general fund. The annual
17 estimated balance in the account may be used by the legislature to
18 make appropriations to the department to carry out the purposes of
19 this chapter.

20 * Sec. 5. AS 02.15.106 is amended to read:

21 Sec. 02.15.106. ENCROACHMENT PERMITS. An encroachment may be
22 constructed, placed, changed, or maintained across or within an air-
23 port, but only in accordance with regulations or procedures adopted by
24 the department. An encroachment may not be constructed, placed,
25 maintained, or changed until it is authorized by a written permit
26 issued by the department, unless the department provides otherwise by
27 regulation. The department may charge a fee for a permit issued under
28 this section. The commissioner of administration shall separately
29 account for encroachment permit fees that the department deposits in

1 the general fund. The annual estimated balance in the account may be
2 used by the legislature to make appropriations to the department to
3 carry out the purposes of this chapter.

4 * Sec. 6. AS 03.10.040 is amended by adding a new subsection to read:

5 (b) Money in the fund may be used by the legislature to make
6 appropriations for costs of administering this chapter.

7 * Sec. 7. AS 03.12.040 is amended by adding a new subsection to read:

8 (b) Money in the fund may be used by the legislature to make
9 appropriations for costs of administering this chapter.

10 * Sec. 8. AS 04.11.270 is amended by adding a new subsection to read:

11 (c) The commissioner of administration shall separately account
12 for all application fees collected under this section that the depart-
13 ment deposits in the general fund. The annual estimated balance in
14 the account may be used by the legislature to make appropriations to
15 the department to carry out the purposes of AS 04.06.

16 * Sec. 9. AS 06.01.010 is amended to read:

17 Sec. 06.01.010. EXAMINATION FEES AND ASSESSMENTS. (a) The
18 expenses of the department reasonably incurred in the examination or
19 investigation of all financial institutions or applications to estab-
20 lish financial institutions regulated by the department under this
21 title shall be charged to and paid by each financial institution as
22 provided in (b) and (d) of this section.

23 (b) Except for deposit institutions, the [THE] commissioner
24 shall assess every financial institution [,] and every applicant to
25 establish a financial institution [,] a fee for the actual expenses
26 incurred by the department in connection with any examination or
27 investigation, whether regular or special. The commissioner shall
28 assess every deposit institution and every applicant to establish a
29 deposit institution a fee for the actual expenses incurred by the

1 department in connection with any special examination or investiga-
2 tion. A [THE] fee assessed under this subsection must [SHALL] include
3 the proportionate part of the salaries and cost of employee benefits
4 of the examiners while conducting examinations or investigations and
5 while preparing reports of them, and transportation costs and per diem
6 of each examiner while away from the examiner's [HIS] duty station.
7 [HOWEVER, THE COST TO THE FINANCIAL INSTITUTION IN CONNECTION WITH AN
8 EXAMINATION MAY NOT EXCEED \$7,500 PER EXAMINATION.] The assessment
9 shall be made by the commissioner as soon as feasible after the exam-
10 ination or investigation has been completed. The assessment must [ALL
11 ASSESSMENTS SHALL] be [PAID TO AND] received by the department [BY
12 EACH INSTITUTION] within 30 days after receipt of notice of the asses-
13 sment by the institution.

14 (c) A [ANY] financial institution that [WHICH] fails to make the
15 payments required by the commissioner under (a), [AND] (b), and (d) of
16 this section within the time specified is subject to a penalty of not
17 more than \$100 each day it is late. The penalty, together with the
18 amount due [UNDER (a) OF THIS SECTION], may be recovered in a civil
19 action brought by the department.

20 * Sec. 10. AS 06.01.010 is amended by adding new subsections to read:

21 (d) The commissioner shall adopt regulations providing for
22 semiannual assessments of deposit institutions. An assessment must be
23 based on the amount of assets of a deposit institution and must cover
24 the aggregate cost of periodic examinations of the deposit institu-
25 tion.

26 (e) In this section "deposit institution" means an institution
27 chartered under this title that has obtained authority from the de-
28 partment to receive deposits of the type eligible to be insured by an
29 agency of the federal government.

1 * Sec. 11. AS 09.25 is amended by adding a new section to read:

2 Sec. 09.25.123. ACCOUNTING FOR AND DISPOSITION OF FEES. The
3 commissioner of administration shall separately account for all fees
4 collected under AS 09.25.110 and 09.25.120 that state agencies deposit
5 in the general fund. The annual estimated balance in the accounts may
6 be used by the legislature to make appropriations to the agencies to
7 carry out their respective functions.

8 * Sec. 12. AS 10.05.039(a) is amended to read:

9 (a) The fee for registration of a corporate name shall be estab-
10 lished by the department by regulation [SUBJECT TO AS 10.05.773].

11 * Sec. 13. AS 10.05.042 is amended to read:

12 Sec. 10.05.042. RENEWAL OF REGISTERED NAME. A corporation that
13 [WHICH] has registered its corporate name may renew the registration
14 from year to year by filing an application for renewal each year
15 setting out the facts required in an original application for regis-
16 tration and a certificate of good standing required for an original
17 registration and by paying a fee established by the department by
18 regulation [SUBJECT TO AS 10.05.773]. An application for renewal may
19 be filed between October 1 and December 31 in each year. The renewal
20 of the registration extends the registration for the following calen-
21 dar year.

22 * Sec. 14. AS 10.05.057(b) is amended to read:

23 (b) Whenever a corporation fails to appoint or maintain a regis-
24 tered agent in the state, or whenever its registered agent cannot,
25 with reasonable diligence, be found at the registered office, the
26 commissioner is an agent of the corporation upon whom the process,
27 notice, or demand may be served. Service is made upon the commis-
28 sioner as agent by leaving with the commissioner, or with a clerk
29 having charge of the corporation division of the commissioner's

1 office, duplicate copies of the process, notice, or demand. Service
2 upon the commissioner must be accompanied by a fee established by the
3 department by regulation [OF \$10]. When process, notice, or demand is
4 served on the commissioner, the commissioner shall immediately forward
5 a copy of it by registered mail to the corporation at its registered
6 office. Service on the commissioner is returnable in not less than 30
7 days.

8 * Sec. 15. AS 10.05.708(a) is amended to read:

9 (a) A domestic or foreign corporation that [WHICH] is required
10 by law to file articles of incorporation with the department, except
11 corporations organized under AS 10.20 and foreign corporations or-
12 ganized under the laws of the United States or the laws of a state or
13 territory of the United States or the laws of a foreign country for
14 the same purposes as those allowed under AS 10.20, shall pay to the
15 commissioner a filing fee established by the department by regulation.
16 [THE FILING FEE SHALL BE BASED ON THE AMOUNT OF AUTHORIZED CAPITAL
17 STOCK OF THE CORPORATION. HOWEVER, AN INCREASE IN THE AMOUNT OF A
18 FILING FEE UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

19 * Sec. 16. AS 10.05.711(a) is amended to read:

20 (a) A domestic or foreign corporation, except a corporation
21 [CORPORATIONS] organized under AS 10.20 or a [AND] foreign corporation
22 [CORPORATIONS] organized under the laws of the United States or the
23 laws of a state or territory of the United States or the laws of a
24 foreign country for the same purposes as those allowed under AS 10.20,
25 filing amendatory or supplemental articles of incorporation, or a
26 certificate [CERTIFICATES] of increase or decrease of capital stock
27 with the department, shall pay to the commissioner

28 [(1) FOR FILING AMENDATORY OR SUPPLEMENTAL ARTICLES WHICH
29 DO NOT INCREASE CAPITAL STOCK, OR FOR FILING A CERTIFICATE OF DECREASE

1 OF CAPITAL STOCK,] a fee established by the department by regulation
2 [SUBJECT TO AS 10.05.773;

3 (2) FOR FILING AMENDATORY OR SUPPLEMENTAL ARTICLES THAT
4 INCREASE THE CAPITAL STOCK, OR FOR FILING A CERTIFICATE OF INCREASE OF
5 CAPITAL STOCK, A FEE ESTABLISHED BY THE DEPARTMENT BY REGULATION
6 SUBJECT TO AS 10.05.773 BASED ON THE AMOUNT OF CHANGE IN THE AUTHO-
7 RIZED STOCK OF THE CORPORATION].

8 * Sec. 17. AS 10.05.714 is amended to read:

9 Sec. 10.05.714. FEES ON APPOINTMENT OR REVOCATION OF APPOINT-
10 MENT OF PROCESS AGENT. (a) A foreign corporation filing with the
11 department a certificate of the appointment and consent of the agent
12 residing in the state, or a certificate of revocation of the appoint-
13 ment of the resident agent shall pay a fee to the commissioner estab-
14 lished by the department by regulation [SUBJECT TO AS 10.05.773].

15 (b) For filing a statement, mentioned in AS 10.05.054(a) and
16 (b), of change of address of registered agent, the agent shall pay a
17 fee to the commissioner established by the department by regulation
18 [SUBJECT TO AS 10.05.773].

19 * Sec. 18. AS 10.05.720 is amended to read:

20 Sec. 10.05.720. FAILURE TO PAY TAX OR MAKE REPORT AS PRECLUDING
21 SUIT BY CORPORATION AND CERTIFICATE OF PAYMENT OR FILING AS EVIDENCE.
22 A [NO] domestic or foreign corporation may not commence or maintain a
23 suit, action, or proceeding in a court in the state without alleging
24 and proving that it has paid its biennial corporation tax last due and
25 has filed its biennial report for the last reporting period. A cer-
26 tificate of the payment of the biennial corporation tax and filing of
27 the biennial report is prima facie evidence of the payment of the tax
28 and the filing of the biennial report. The commissioner shall issue
29 the certificate or a duplicate for a fee established by the department

1 by regulation [SUBJECT TO AS 10.05.773].

2 * Sec. 19. AS 10.05.747 is amended to read:

3 Sec. 10.05.747. OTHER FILING FEES. (a) The filing fee for an
4 instrument not otherwise provided for in this chapter shall be estab-
5 lished by the department by regulation [SUBJECT TO AS 10.05.773].

6 (b) The department may by regulation charge each corporation
7 subject to this chapter a fixed fee in place of the various fees
8 specified in this chapter, with the exception of AS 10.05.039, 10.05.-
9 708, and 10.05.711, and for routine administrative services rendered
10 to a corporation by the department. [AN INCREASE IN THE FIXED FEE
11 CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

12 * Sec. 20. AS 10.05.750 is amended to read:

13 Sec. 10.05.750. FEES AND PENALTIES PAYABLE ON WITHDRAWAL OF
14 FOREIGN CORPORATION. A registered foreign corporation may withdraw
15 from the state upon payment of all biennial corporation taxes and
16 penalties due at the time of desired withdrawal, and by filing with
17 the department a certificate of withdrawal, signed by its proper
18 officers and under its corporate seal. The fee for filing the certif-
19 icate with the department shall be established by the department by
20 regulation [SUBJECT TO AS 10.05.773].

21 * Sec. 21. AS 10.05.753 is amended to read:

22 Sec. 10.05.753. FEES ON DISSOLUTION OF DOMESTIC CORPORATION. A
23 domestic corporation shall pay to the commissioner for the use of the
24 state a fee established by the department by regulation [SUBJECT TO
25 AS 10.05.773] for filing the instruments mentioned in this chapter
26 providing for the dissolution of domestic corporations.

27 * Sec. 22. AS 10.05.756 is amended to read:

28 Sec. 10.05.756. TAXES, PENALTIES, AND FEES ON FILING CERTIFICATE
29 OF DISSOLUTION OF FOREIGN CORPORATION. A foreign corporation desiring

1 to file a certificate of dissolution from the state of its origin may
2 file the certificate, when signed by the proper state officer, under
3 seal, upon payment of all biennial corporation taxes and penalties due
4 at the time of dissolution. The filing fee [IN THE OFFICE OF THE
5 COMMISSIONER] shall be established by the department by regulation
6 [SUBJECT TO AS 10.05.773].

7 * Sec. 23. AS 10.05.762 is amended to read:

8 Sec. 10.05.762. FEES FOR CERTIFIED COPIES OF INSTRUMENTS. The
9 fee for furnishing a certified copy of any instrument shall be estab-
10 lished by the department by regulation [SUBJECT TO AS 10.05.773].

11 * Sec. 24. AS 10.15.255 is amended to read:

12 Sec. 10.15.255. TERMINATION OF FILED CONTRACT. When a contract
13 filed under AS 10.15.230 - 10.15.260 has been terminated in any
14 manner, the cooperative shall upon demand [,] give a statement of ter-
15 mination to the member party to the contract, who may file the state-
16 ment in the office of the precinct recorder where the contract was
17 originally filed. The precinct recorder shall stamp "expired" after
18 the name of the member in the alphabetical record. The fee for the
19 filing and stamping shall be established by the department by regu-
20 lation [SUBJECT TO AS 10.05.773].

21 * Sec. 25. AS 10.15.260 is amended to read:

22 Sec. 10.15.260. FILING OF LIST OF TERMINATED CONTRACTS. A
23 cooperative may file in the office of the precinct recorder where the
24 contract was originally filed a sworn list of the names of all persons
25 whose contracts have been terminated in a manner other than by expira-
26 tion of their term. The precinct recorder shall stamp "expired" after
27 the name of each of those persons in the alphabetical record. The fee
28 for the filing and stamping shall be established by the department by
29 regulation [SUBJECT TO AS 10.05.773].

1 * Sec. 26. AS 10.15.530 is amended to read:

2 Sec. 10.15.530. BIENNIAL LICENSE FEE. Each cooperative not
3 organized and operated for nonprofit religious, charitable, cemetery,
4 or educational purposes [,] shall pay to the department a biennial li-
5 cense fee. The fee shall be paid before July 2 of the reporting year.
6 [IN THE CASE OF NEW COOPERATIVES FORMED DURING A BIENNIAL PERIOD, THE
7 FEE SHALL BE PROPORTIONATE TO THE FRACTION OF THE BIENNIAL PERIOD.]

8 * Sec. 27. AS 10.15.545 is amended to read:

9 Sec. 10.15.545. LICENSE FEE FOR COOPERATIVE [WITHOUT CAPITAL
10 STOCK]. The license fee of each cooperative [HAVING NO AUTHORIZED
11 SHARES OF CAPITAL STOCK] shall be established by the department by
12 regulation [SUBJECT TO AS 10.05.773].

13 * Sec. 28. AS 10.15.555 is amended to read:

14 Sec. 10.15.555. MISCELLANEOUS FEES AND CHARGES. (a) The de-
15 partment shall establish by regulation [SUBJECT TO AS 10.05.773] and
16 charge and collect from a cooperative fees for filing

17 (1) articles of incorporation or articles of consolidation
18 for a new cooperative;

19 (2) articles of amendment, restated articles, or articles
20 of merger [, AND, IF THE ARTICLES PROVIDE FOR AN INCREASE OF THE
21 AMOUNT OF AUTHORIZED CAPITAL STOCK OF THE COOPERATIVE, THE FILING
22 COOPERATIVE SHALL ALSO PAY THE PROPORTIONATE PART OF THE ANNUAL LI-
23 CENSE FEE FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR, PAYABLE BY A
24 COOPERATIVE WHOSE AUTHORIZED SHARES EQUAL THE NEWLY INCREASED AUTHO-
25 RIZED SHARES OF THE FILING COOPERATIVE, LESS THE ANNUAL LICENSE FEE
26 ALREADY PAID FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR BY THE
27 FILING COOPERATIVE; BUT FILING ARTICLES DECREASING THE AUTHORIZED
28 SHARES DOES NOT REDUCE THE ANNUAL LICENSE FEE OF THE FILING COOPERA-
29 TIVE UNTIL THE BEGINNING OF THE FISCAL YEAR FOLLOWING THAT IN WHICH

1 THE ARTICLES WERE FILED];

2 (3) statement of intent to dissolve;

3 (4) statement of revocation of voluntary dissolution pro-
4 ceedings;

5 (5) articles of dissolution;

6 (6) all other statements.

7 (b) The department may by regulation charge each cooperative
8 corporation subject to this chapter a fixed fee in place of charging
9 cooperative corporations the various fees specified in this chapter,
10 with the exception of AS 10.15.535, (a)(1) of this section, and for
11 routine administrative services rendered to the cooperative corpora-
12 tion by the department. [AN INCREASE IN THE AMOUNT OF A FIXED FEE
13 CHARGED UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

14 * Sec. 29. AS 10.20.635 is amended to read:

15 Sec. 10.20.635. FEES FOR FILING DOCUMENTS AND ISSUING CERTIFI-
16 CATES. (a) The commissioner shall establish by regulation [SUBJECT
17 TO AS 10.05.773], charge, and collect filing fees for

18 (1) [FILING] articles of incorporation and issuing a certi-
19 ficate of incorporation;

20 (2) [FILING] articles of amendment and issuing a certifi-
21 cate of amendment;

22 (3) [FILING] restated articles of incorporation and issuing
23 a restated certificate of incorporation;

24 (4) [FILING] articles of merger or consolidation and issu-
25 ing a certificate of merger or consolidation;

26 (5) [FILING] a statement of change of address of registered
27 office or change of registered agent, or both;

28 (6) [FILING] articles of dissolution;

29 (7) [FILING] an application of a foreign corporation for a

1 certificate of authority to conduct affairs in this state and issuing
2 a certificate of authority;

3 (8) [FILING] an application of a foreign corporation for an
4 amended certificate of authority to conduct affairs in this state and
5 issuing an amended certificate of authority;

6 (9) [FILING] a copy of an amendment to the articles of
7 incorporation of a foreign corporation holding a certificate of auth-
8 ority to conduct affairs in this state;

9 (10) [FILING] a copy of articles of merger of a foreign
10 corporation holding a certificate of authority to conduct affairs in
11 this state;

12 (11) [FILING] an application for withdrawal of a foreign
13 corporation and issuing a certificate of withdrawal;

14 (12) [FILING] any other statement or report, including a
15 biennial report, of a domestic or foreign corporation.

16 (b) The department may by regulation charge each corporation
17 subject to this chapter a fixed fee in place of the various fees
18 specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS
19 SECTION,] and for routine administrative services rendered to the
20 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED
21 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

22 * Sec. 30. AS 10.20.640 is amended to read:

23 Sec. 10.20.640. FEE FOR CERTIFIED COPIES OF INSTRUMENTS. The
24 fee for furnishing a certified copy of any instrument shall be estab-
25 lished by the department by regulation [SUBJECT TO AS 10.05.773].

26 * Sec. 31. AS 10.25.530(a) is amended to read:

27 (a) The commissioner shall establish by regulation [SUBJECT TO
28 AS 10.05.773], charge, and collect [FILING] fees for

29 (1) filing articles of incorporation;

- 1 (2) filing articles of amendment;
- 2 (3) filing articles of consolidation or merger;
- 3 (4) filing articles of conversion;
- 4 (5) filing certificate of election to dissolve;
- 5 (6) filing articles of dissolution;
- 6 (7) filing certificate of change of principal office and
7 designation or change of registered office and registered agent; and
- 8 (8) acting as agent for service of process.

9 * Sec. 32. AS 10.25.530(b) is amended to read:

10 (b) The department may by regulation charge each cooperative
11 subject to this chapter a fixed fee in place of the various fees
12 specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS
13 SECTION,] and for the routine administrative services rendered to the
14 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED
15 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

16 * Sec. 33. AS 10.35.060 is amended to read:

17 Sec. 10.35.060. FEE FOR AND DURATION OF REGISTERED NAME. The
18 fee for the initial registration of a business name shall be estab-
19 lished by the department by regulation [SUBJECT TO AS 10.05.773]. The
20 year in which the registration becomes effective is considered a full
21 year of registration and the registration is effective until the close
22 of the fifth calendar year beginning with the year of initial regis-
23 tration.

24 * Sec. 34. AS 10.35.070 is amended to read:

25 Sec. 10.35.070. RENEWAL OF REGISTERED NAME. A registered busi-
26 ness name may be renewed every five years if an application for re-
27 newal is filed. An application for renewal must set out the facts
28 required in an original application for registration and be accom-
29 panied by a renewal fee to be established by the department by

1 regulation [SUBJECT TO AS 10.05.773]. An application for renewal may
2 be filed between October 1 and December 31 of any year. The renewal
3 of the registration extends the registration for the following five
4 calendar years.

5 * Sec. 35. AS 10.40.140(a) is amended to read:

6 (a) A [ANY] document required to be filed with the commissioner
7 under this chapter shall be accompanied by a fee to be established by
8 the department by regulation [SUBJECT TO AS 10.05.773].

9 * Sec. 36. AS 12.55.105(a) is amended to read:

10 Sec. 12.55.105. PROBATION AND URINALYSIS FEES [FEE]. (a) A
11 court granting probation shall require a periodic probation fee to be
12 paid to the Department of Corrections as a condition of probation. In
13 addition, the department may charge a fee for any urinalysis that may
14 be required. The fee amounts [AMOUNT] shall be established by regu-
15 lation adopted by the commissioner of corrections.

16 * Sec. 37. AS 14.07.030 is amended to read:

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

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

20 (2) enter into contractual agreements with the Bureau of
21 Indian Affairs or with a school district to share boarding costs of
22 secondary school students;

23 (3) provide for citizenship night schools when and where
24 expedient;

25 (4) provide for the sale or other disposition of abandoned
26 or obsolete buildings and other state-owned school property;

27 (5) prescribe a classification for items of expense of
28 school districts;

29 (6) acquire and transfer personal property, acquire real

1 property, and transfer real property to federal agencies, state
2 agencies, or to political subdivisions;

3 (7) enter into contractual agreements with school districts
4 to provide more efficient or economical education services; reasonable
5 fees may be charged by the department to cover the costs of providing
6 services under an agreement, including costs for professional ser-
7 vices, reproduction or printing, and mailing and distribution of
8 educational materials;

9 (8) provide for the issuance of elementary and secondary
10 diplomas to persons not in school who have completed the equivalent of
11 an 8th or 12th grade education, respectively, in accordance with
12 standards established by the department;

13 (9) exercise disapproval power under AS 14.08.101;

14 (10) apply for, accept, and spend endowments, grants, and
15 other private money available to the state for educational purposes in
16 accordance with AS 37.07 (the Executive Budget Act);

17 (11) set student tuition and fees for educational programs
18 and services provided and schools operated by the department under the
19 provisions of [AS 14.07.020(12) AND] (1) of this section and AS 14.-
20 07.020(9), (11), and (12);

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

24 * Sec. 38. AS 14.56.030(10) is amended to read:

25 (10) establishing and charging fees for reproduction, [OR]
26 printing, and handling costs, [AND] for mailing and distributing state
27 publications and research data, and for other services authorized by
28 this chapter.

29 * Sec. 39. AS 14.56.035 is amended to read:

1 Sec. 14.56.035. ACCOUNTING FOR AND DISPOSITION OF FEES. The
2 commissioner of administration shall separately account for [PUBLICA-
3 TION AND DISTRIBUTION] fees received under AS 14.56.030(10) [AND] that
4 the department deposits in the general fund. The annual estimated
5 balance in the account may be used by the legislature to make appro-
6 priations to the department to carry out the purposes of AS 14.56.030.
7 * Sec. 40. AS 14.57.010 is amended by adding a new subsection to read:
8 (c) The department may establish by regulation, and collect,
9 reasonable user fees and other fees for services provided by the
10 department under AS 14.57.
11 * Sec. 41. AS 14.57.015 is amended to read:
12 Sec. 14.57.015. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
13 commissioner of administration shall separately account for each
14 endowment, [OR] grant, or gift from a private donor received under
15 AS 14.57.010(b)(4), and for fees collected under AS 14.57.010(c), and
16 deposited by the department in the general fund. The annual estimated
17 balance in the account may be used by the legislature to make appro-
18 priations to the department to carry out the purposes of AS 14.57.010.
19 * Sec. 42. AS 15.62 is amended by adding a new section to read:
20 Sec. 15.62.020. VOTER REGISTRATION AND ELECTION MANAGEMENT
21 SYSTEM RECEIPTS. (a) The director may sell voter registration and
22 election management system data processing software. Receipts gen-
23 erated through the sales shall be deposited in the general fund.
24 (b) The commissioner of administration shall separately account
25 for all money collected through sales under (a), of this section that
26 the department deposits in the general fund. The annual estimated
27 balance in the account may be used by the legislature to make appro-
28 priations to the division of elections to carry out its responsibil-
29 ities in connection with the voter registration and election manage-

1 ment system.

2 * Sec. 43. AS 16.05.050 is amended by adding a new paragraph to read:

3 (17) to operate state housing for employees and contractors
4 in support of the department's responsibilities and to charge rent
5 that is consistent with an applicable collective bargaining agreement;
6 rent received from tenants shall be deposited in the general fund.

7 * Sec. 44. AS 16.05.053 is amended to read:

8 Sec. 16.05.053. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
9 commissioner of administration shall separately account for money
10 collected under AS 16.05.050(4), (15), [AND] (16), and (17) [AND] that
11 the department deposits in the general fund. The annual estimated
12 balance in each account may be used by the legislature to make appro-
13 priations to the department to carry out the activities for which fees
14 have been charged or for which the money was collected.

15 * Sec. 45. AS 16.10.310(a)(3) is amended to read:

16 (3) adopt regulations necessary to carry out the provisions
17 of AS 16.10.300 - 16.10.370, including regulations to establish rea-
18 sonable fees for services provided [ITS FUNCTIONS];

19 * Sec. 46. AS 16.10.310(a) is amended by adding a new paragraph to
20 read:

21 (9) charge and collect the fees established under this
22 subsection.

23 * Sec. 47. AS 16.10 is amended by adding a new section to read:

24 Sec. 16.10.312. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
25 commissioner of administration shall separately account for all fees
26 and collection charges that the department deposits in the general
27 fund. The annual estimated balance in the account may be used by the
28 legislature to make appropriations to the department to carry out the
29 purposes of AS 16.10.300 - 16.10.370.

- 1 * Sec. 48. AS 16.10.320 is amended by adding a new subsection to read:
2 (j) All principal and interest payments, and any money charge-
3 able to principal or interest that is collected through liquidation by
4 foreclosure or other process on loans made under AS 16.10.300 - 16.-
5 10.370, shall be paid into the commercial fishing revolving loan fund.
- 6 * Sec. 49. AS 16.10.340 is amended by adding a new subsection to read:
7 (b) Money in the fund may be used by the legislature to make
8 appropriations for costs of administering AS 16.10.300 - 16.10.370.
- 9 * Sec. 50. AS 16.10.505 is amended to read:
10 Sec. 16.10.505. FISHERIES ENHANCEMENT REVOLVING LOAN FUND.
11 There is created within the Department of Commerce and Economic Devel-
12 opment a revolving fund to be known as the fisheries enhancement
13 revolving loan fund. Except as provided in (b) of this section, the
14 [THE] fund shall be used to carry out the purposes of AS 16.10.500 -
15 16.10.560 and for no other purpose. All principal and interest pay-
16 ments, and money chargeable to principal or interest that is collected
17 through liquidation by foreclosure or other process on loans made
18 under AS 16.10.500 - 16.10.560, shall be paid into the fisheries
19 enhancement revolving loan fund.
- 20 * Sec. 51. AS 16.10.505 is amended by adding a new subsection to read:
21 (b) Money in the fund may be used by the legislature to make
22 appropriations for costs of administering AS 16.10.500 - 16.10.560.
- 23 * Sec. 52. AS 16.10.510(4) is amended to read:
24 (4) adopt regulations necessary to carry out the provisions
25 of AS 16.10.500 - 16.10.560, including regulations to establish rea-
26 sonable fees for services provided [HIS FUNCTIONS];
- 27 * Sec. 53. AS 16.10.510 is amended by adding a new paragraph to read:
28 (11) charge and collect the fees established under this
29 section.

1 * Sec. 54. AS 16.10 is amended by adding a new section to read:

2 Sec. 16.10.512. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
3 commissioner of administration shall separately account for all fees
4 and collection charges that the department deposits in the general
5 fund. The annual estimated balance in the account may be used by the
6 legislature to make appropriations to the department to carry out the
7 purposes of AS 16.10.500 - 16.10.560.

8 * Sec. 55. AS 18.07 is amended by adding a new section to read:

9 Sec. 18.07.035. APPLICATION AND FEES. (a) Application for a
10 certificate of need shall be made to the department upon a form pro-
11 vided by the department and must contain the information the depart-
12 ment requires to reach a decision under AS 18.07.041 - 18.07.111.
13 Each application for a certificate of need must be accompanied by an
14 application fee established by the department by regulation.

15 (b) The commissioner of administration shall separately account
16 for fees collected under this section that the department deposits in
17 the general fund. The annual estimated balance in the account may be
18 used by the legislature to make appropriations to the department.

19 * Sec. 56. AS 18.20.030 is amended to read:

20 Sec. 18.20.030. APPLICATION AND FEES. Application for a license
21 shall be made to the department upon a form provided by it, and must
22 [SHALL] contain the information the department requires, which may in-
23 clude affirmative evidence of ability to comply with the reasonable
24 standards and regulations adopted under AS 18.20.060 - 18.20.080.
25 Each application for a license must [SHALL] be accompanied by a li-
26 cense fee established by the department by regulation [OF \$10]. The
27 department shall deposit all fees received in the general fund [STATE
28 TREASURY].

29 * Sec. 57. AS 18.20.030 is amended by adding a new subsection to read:

1 (b) The commissioner of administration shall separately account
2 for fees collected under this section that the department deposits in
3 the general fund. The annual estimated balance in the account may be
4 used by the legislature to make appropriations to the department for
5 the purposes of this chapter.

6 * Sec. 58. AS 18.20.040 is amended to read:

7 Sec. 18.20.040. ISSUANCE AND RENEWAL OF LICENSE AND POSTING.
8 Upon receipt of an application for license and the license fee, the
9 department shall issue a license if the applicant meets the require-
10 ments established under AS 18.20.060 - 18.20.080. If the applicant
11 does not meet the requirements established under AS 18.20.060 - 18.-
12 20.080 but makes continued efforts to comply with them, the department
13 may grant a temporary or provisional license for a reasonable period
14 of time. A license, unless suspended or revoked, is renewable annual-
15 ly [WITHOUT CHARGE] upon filing by the licensee [,] and approval by
16 the department of an annual report on the uniform date and containing
17 the information in the form the department prescribes by regulation.
18 Each license issued is for the premises and person or governmental
19 unit named in the application and is not transferable or assignable
20 except with the written approval of the department. Licenses shall
21 be posted in a conspicuous place on the licensed premises.

22 * Sec. 59. AS 18.65.410 is amended to read:

23 Sec. 18.65.410. APPLICATIONS. Application for a license as a
24 security guard shall [MUST] be made on forms provided by the commis-
25 sioner. The application must require the furnishing of information
26 reasonably required by the commissioner to carry out the provisions of
27 AS 18.65.400 - 18.65.490, including classifiable fingerprints to
28 enable the search of criminal indices for evidence of a prior criminal
29 record. The application must be accompanied by a nonrefundable appli-

1 cation fee in an amount set by the Department of Public Safety by
2 regulation [OF \$25] for a security guard and [\$200] for a security
3 guard agency.

4 * Sec. 60. AS 18.65 is amended by adding a new section to read:

5 Sec. 18.65.415. ACCOUNTING FOR AND DISPOSITION OF FEES. The
6 commissioner of administration shall separately account for fees
7 collected under AS 18.65.410 and 18.65.430 that the Department of
8 Public Safety deposits in the general fund. The annual estimated
9 balance in the account may be used by the legislature to make appro-
10 priations to the department to carry out the purposes of AS 18.65.-
11 400 - 18.65.490.

12 * Sec. 61. AS 18.65.430 is amended to read:

13 Sec. 18.65.430. DURATION OF LICENSE. A security guard license
14 issued under AS 18.65.400 - 18.65.490 is valid for a period of two
15 years and may be renewed for a'dditional two-year terms. A renewal fee
16 set by the Department of Public Safety by regulation [OF \$25] must be
17 paid for each renewal.

18 * Sec. 62. AS 19.25.010 is amended to read:

19 Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES. A utility
20 facility may be constructed, placed, or maintained across, along,
21 over, under or within a state right-of-way only in accordance with
22 regulations prescribed by the department and if authorized by a writ-
23 ten permit issued by the department. The department may charge a fee
24 for a permit issued under this section. The commissioner of adminis-
25 tration shall separately account for utility permit fees that the
26 department deposits in the general fund. The annual estimated balance
27 in the account may be used by the legislature to make appropriations
28 to the department to carry out the purposes of this chapter.

29 * Sec. 63. AS 19.60.030 is amended to read:

1 Sec. 19.60.030. REGULATIONS. The department may adopt [RULES
2 AND] regulations governing the use of ferry terminal facilities by the
3 public that [WHICH] it considers necessary and proper in the public
4 interest. The department may charge a fee for the use of ferry termi-
5 nal facilities, whether the use is under a permit or otherwise, and
6 whether it is by one or more individuals. The commissioner of admin-
7 istration shall separately account for permit fees and use fees that
8 the department deposits in the general fund. The annual estimated
9 balance in the account may be used by the legislature to make appro-
10 priations to the department to carry out the purposes of this chapter.

11 * Sec. 64. AS 24.20.050 is amended by adding a new subsection to read:

12 (b) The executive director may establish reasonable fees for
13 services and materials provided by the Legislative Affairs Agency to
14 entities outside of the legislative branch of state government and
15 charges for collecting the fees. All fees and charges collected by
16 the agency shall be deposited into the general fund. The commissioner
17 of administration shall separately account for all fees and collection
18 charges that the agency deposits in the general fund. The annual
19 estimated balance in the account may be used by the legislature to
20 make appropriations to the agency to carry out the functions of the
21 agency.

22 * Sec. 65. AS 26.15.030(a) is amended to read:

23 (a) The Department of Commerce and Economic Development shall
24 formulate general policies and adopt regulations, including regula-
25 tions to establish reasonable fees for services provided.

26 * Sec. 66. AS 26.15.030(c) is amended by adding a new paragraph to
27 read:

28 (8) charge and collect the fees established under this
29 section.

1 * Sec. 67. AS 26.15 is amended by adding a new section to read:

2 Sec. 26.15.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
3 commissioner of administration shall separately account for all fees
4 and collection charges that the Department of Commerce and Economic
5 Development deposits in the general fund. The annual estimated bal-
6 ance in the account may be used by the legislature to make appropria-
7 tions to that department to carry out the purposes of this chapter.

8 * Sec. 68. AS 26.15.040(d) is amended to read:

9 (d) Money loaned shall be delivered to the borrower in the form
10 of a warrant drawn on the treasury, vouchered in the manner prescribed
11 for state disbursing officers, and charged against the Alaska World
12 War II veterans' revolving fund. Each voucher shall be approved by
13 the commissioner of commerce and economic development or any bonded
14 deputy authorized to act as a certifying officer. Upon repayment of
15 loans by installments, or otherwise, in accordance with the prescribed
16 terms, or upon liquidation by foreclosure or other process, or upon
17 receipt of interest [OR OTHER REVENUE], the money so received shall be
18 turned over to the commissioner of revenue for deposit in the Alaska
19 World War II veterans' revolving fund.

20 * Sec. 69. AS 26.15.090 is amended by adding a new subsection to read:

21 (b) Money in the fund may be used by the legislature to make
22 appropriations for costs of administering this chapter.

23 * Sec. 70. AS 27.09.010(b) is amended to read:

24 (b) The mining loan fund is a revolving fund consisting of
25 appropriations made to the fund by the legislature, [AND] repayments
26 of principal and interest, and any money chargeable to principal or
27 interest that is collected through liquidation by foreclosure or other
28 process on loans made from the fund. Money appropriated to or repaid
29 into the fund does not lapse under AS 37.25.010. Money in the fund

1 may be used by the legislature to make appropriations for costs of
2 administering the fund.

3 * Sec. 71. AS 27.09.050 is amended to read:

4 Sec. 27.09.050. REGULATIONS. The department may adopt regu-
5 lations necessary to carry out the provisions of this chapter, includ-
6 ing regulations to establish reasonable fees for services provided [IN
7 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62) TO ADMIN-
8 ISTER THIS CHAPTER]. Regulations adopted under this section shall be
9 prepared after consultation with the Department of Natural Resources
10 or after consultation with a person who, in the opinion of the commis-
11 sioner of commerce and economic development or a designee, has broad
12 experience in and is highly qualified in advanced mineral exploration,
13 development, and mining.

14 * Sec. 72. AS 27.09 is amended by adding a new section to read:

15 Sec. 27.09.055. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
16 commissioner of administration shall separately account for all fees
17 and collection charges that the department collects under this chapter
18 and deposits in the general fund. The annual estimated balance in the
19 account may be used by the legislature to make appropriations to the
20 department to carry out the purposes of this chapter.

21 * Sec. 73. AS 29.25 is amended by adding a new section to read:

22 Sec. 29.25.075. COLLECTION OF PENALTIES. The court may collect
23 for a municipality any monetary penalty or item to be forfeited as a
24 result of the violation of an ordinance. The supreme court may
25 prescribe by rule the fees to be charged by all courts to
26 municipalities for providing collection services under this section.

27 * Sec. 74. AS 33.30.041 is amended by adding a new subsection to read:

28 (d) The commissioner of administration shall separately account
29 for payments received under agreements entered into under this section

1 that the department deposits in the general fund. The annual esti-
2 mated balance in the account may be used by the legislature to make
3 appropriations to the department for the operation of state correc-
4 tional facilities.

5 * Sec. 75. AS 33.30.131 is amended by adding a new subsection to read:

6 (e) The commissioner of administration shall separately account
7 for prisoner earnings collected under (b)(1) and (3) of this section
8 and deposited in the general fund. The annual estimated balance in
9 the account may be used by the legislature to make appropriations to
10 the department to carry out the provisions of this section.

11 * Sec. 76. AS 35.10.210 is amended to read:

12 Sec. 35.10.210. USE OF PUBLIC FACILITIES FOR UTILITIES. A
13 utility facility may be constructed, placed, or maintained across,
14 along, over, under, or within a state public facility only in accor-
15 dance with regulations adopted or procedures prescribed by the depart-
16 ment and only if authorized by a written permit issued by the depart-
17 ment. The department may charge a fee for a permit issued under this
18 section. The commissioner of administration shall separately account
19 for utility permit fees 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. 77. AS 35.10.230 is amended to read:

24 Sec. 35.10.230. ENCROACHMENT PERMITS. An encroachment may be
25 constructed, placed, changed, or maintained across or within a public
26 facility, but only in accordance with regulations or procedures adopt-
27 ed by the department. An encroachment may not be constructed, placed,
28 maintained, or changed until it is authorized by a written permit
29 issued by the department, unless the department provides otherwise by

1 regulation. The department may charge a fee for a permit issued under
2 this section. The commissioner of administration shall separately
3 account for encroachment permit fees that the department deposits in
4 the general fund. The annual estimated balance in the account may be
5 used by the legislature to make appropriations to the department to
6 carry out the purposes of this chapter.

7 * Sec. 78. AS 38.05.035 is amended by adding a new subsection to read:

8 (g) The commissioner of administration shall separately account
9 for all fees collected under (b)(2), (3), (5), (7), and (f) of this
10 section that the department deposits in the general fund. The annual
11 estimated balance in the account may be used by the legislature to
12 make appropriations to the department to carry out the purposes of
13 (b)(2), (3), (5), (7), and (f) of this section.

14 * Sec. 79. AS 38.05.068 is amended by adding a new subsection to read:

15 (e) The commissioner of administration shall separately account
16 for all fees collected under this section that the department deposits
17 in the general fund. The annual estimated balance in the account may
18 be used by the legislature to make appropriations to the department to
19 carry out the purposes of this section.

20 * Sec. 80. AS 38.05.070 is amended by adding a new subsection to read:

21 (d) The commissioner of administration shall separately account
22 for all fees collected under this section that the department deposits
23 in the general fund. The annual estimated balance in the account may
24 be used by the legislature to make appropriations to the department to
25 carry out the purposes of this section.

26 * Sec. 81. AS 38.05.082 is amended by adding a new subsection to read:

27 (f) The commissioner of administration shall separately account
28 for all fees collected under this section that the department deposits
29 in the general fund. The annual estimated balance in the account may

1 be used by the legislature to make appropriations to the department to
2 carry out the purposes of this section.

3 * Sec. 82. AS 38.05.102 is amended to read:

4 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold
5 created under AS 38.05.070 - 38.05.105 is offered for sale or long-
6 term lease at the termination of the existing leasehold, the director
7 may, upon a finding that it is in the best interest of the state,
8 allow the holder in good standing of that leasehold to purchase or
9 lease the land for its appraised fair market value at the time of the
10 sale or long-term lease. The commissioner of administration shall
11 separately account for all fees collected under 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. 83. AS 38.05.120 is amended by adding a new subsection to read:

16 (b) The commissioner of administration shall separately account
17 for all money collected under this section that the department de-
18 posits in the general fund. The annual estimated balance in the
19 account may be used by the legislature to make appropriations to the
20 department to carry out the purposes of this section, AS 38.05.110,
21 and AS 41.17.300.

22 * Sec. 84. AS 38.35.140(b) is amended to read:

23 (b) The lessee shall reimburse the state for all reasonable
24 costs incurred in processing an application filed under AS 38.35.050
25 and in monitoring the construction of the pipeline on the right-of-
26 way. The commissioner of administration shall separately account for
27 money received under this section [SUBSECTION] that the Department of
28 Natural Resources deposits in the general fund. The annual estimated
29 balance in the account may be used by the legislature to make

1 appropriations to the department to carry out the purposes of AS 38.35
2 [THIS SECTION].

3 * Sec. 85. AS 38.95.240(b) is amended to read:

4 (b) If it is determined that the plaintiff is entitled to the
5 property, the department shall deliver the property to the plaintiff.
6 The rents, profits, interest, or dividends that accrue to the state
7 during its possession of the property are the property of the state
8 and may not be recovered. The commissioner of administration shall
9 separately account for all money collected under this subsection that
10 the department deposits in the general fund. The annual estimated
11 balance in the account may be used by the legislature to make appro-
12 priations to the department to carry out the purposes of AS 38.95.230.

13 * Sec. 86. AS 38.95.250 is amended by adding a new subsection to read:

14 (b) All money collected under (a) of this section not required
15 to be kept in the escheated real property trust account shall be
16 deposited in the general fund. The commissioner of administration
17 shall separately account for all money that the department deposits in
18 the general fund. The annual estimated balance in the account may be
19 used by the legislature to make appropriations to the department to
20 carry out the purposes of AS 38.95.230.

21 * Sec. 87. AS 39.25.050 is amended by adding a new subsection to read:

22 (b) The director of personnel may contract with municipalities,
23 private organizations, and other persons to provide personnel research
24 or personnel training services for them and charge a fee for doing so.

25 * Sec. 88. AS 41.35.045 is amended by adding a new subsection to read:

26 (c) The commissioner of administration shall separately account
27 for all fees collected under this section that the department deposits
28 in the general fund. The annual estimated balance in the account may
29 be used by the legislature to make appropriations to the department to

1 carry out the purposes of this chapter.

2 * Sec. 89. AS 44.21 is amended by adding a new section to article 1 to
3 read:

4 Sec. 44.21.070. ACCOUNTING FOR AND DISPOSITION OF FEES. The
5 commissioner of administration shall separately account for each type
6 of fee collected by the Department of Administration that the depart-
7 ment deposits in the general fund. The annual estimated balance in
8 the accounts may be used by the legislature to make appropriations to
9 the department to carry out its functions.

10 * Sec. 90. AS 44.23 is amended by adding a new section to read:

11 Sec. 44.23.025. DEPARTMENT HOUSING. The Department of Law may
12 operate state housing in support of its statutory responsibilities and
13 may charge rent consistent with an applicable collective bargaining
14 agreement. The commissioner of administration shall separately ac-
15 count for housing program receipts that the Department of Law deposits
16 in the general fund. The annual estimated balance in the account may
17 be used by the legislature to make appropriations to the department to
18 carry out the housing program.

19 * Sec. 91. AS 44.33.240 is amended by adding a new subsection to read:

20 (b) The department may use money in the fund for costs of admin-
21 istering AS 44.33.240 - 44.33.275.

22 * Sec. 92. AS 44.33.245(a) is amended to read:

23 (a) The department may

24 (1) make loans for the construction, renovation, and equip-
25 ping of child care facilities, including private nonprofit child care
26 facilities;

27 (2) adopt regulations necessary to carry out the provisions
28 of AS 44.33.240 - 44.33.275, including regulations to establish rea-
29 sonable fees for services provided and charges for collecting the

1 fees; and

2 (3) collect the fees and charges established under this
3 subsection.

4 * Sec. 93. AS 44.33 is amended by adding a new section to read:

5 Sec. 44.33.247. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
6 commissioner of administration shall separately account for all fees
7 and collection charges that the department deposits in the general
8 fund. The annual estimated balance in the account may be used by the
9 legislature to make appropriations to the department to carry out the
10 purposes of AS 44.33.240 - 44.33.275.

11 * Sec. 94. AS 44.33.255(d) is amended to read:

12 (d) All principal and interest payments, and any money charge-
13 able to principal or interest that is collected through liquidation by
14 foreclosure or other process on loans made under AS 44.33.240 - 44.-
15 33.275, shall be paid into the child care facility revolving loan
16 fund.

17 * Sec. 95. AS 44.33.600 is amended by adding a new subsection to read:

18 (c) Money in the fund may be used by the legislature to make
19 appropriations for costs of administering AS 44.33.600 - 44.33.630.

20 * Sec. 96. AS 44.41.020 is amended by adding new subsections to read:

21 (c) The Department of Public Safety may enter into agreements
22 with federal agencies, state or local government agencies, private
23 nonprofit agencies, or individuals to provide forensic laboratory
24 services. Reasonable fees may be charged by the department to cover
25 the costs of providing services under these agreements, including
26 personnel costs necessary to perform these services, maintenance, or
27 replacement of equipment needed to perform these services, and the
28 cost of supplies used in performing these services. The commissioner
29 of administration shall separately account for the forensic laboratory

1 fees that the Department of Public Safety deposits in the general
2 fund. The annual estimated balance in the account may be used by the
3 legislature to make appropriations to the department to carry out the
4 purposes of this subsection.

5 (d) The Department of Public Safety may operate state housing in
6 support of the department's statutory responsibilities and charge rent
7 consistent with an applicable collective bargaining agreement. Rent
8 received from tenants must be deposited in the general fund. The
9 commissioner of administration shall separately account for rent
10 received under the housing program. The annual estimated balance in
11 the account may be used by the legislature to make appropriations to
12 the Department of Public Safety to carry out the residential housing
13 program.

14 * Sec. 97. AS 44.41.025 is amended by adding a new subsection to read:

15 (b) The commissioner of public safety may establish by regu-
16 lation and the Department of Public Safety may charge a reasonable fee
17 to be paid by a person requesting a criminal history record check or a
18 copy of the person's criminal history record from confidential files
19 maintained by the department. The commissioner of administration
20 shall separately account for fees collected under this subsection that
21 the Department of Public Safety deposits in the general fund. The
22 annual estimated balance in the account may be used by the legislature
23 to make appropriations to the department to carry out the purposes of
24 this subsection.

25 * Sec. 98. AS 44.42.020(b) is amended to read:

26 (b) The department may

27 (1) engage in experimental projects relating to available
28 or future modes of transportation and any means of improving existing
29 transportation facilities and service;

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

3 (3) publish plans, schedules, directories, guides, and
4 manuals for distribution, with or without charge, to private or public
5 entities or persons;

6 (4) operate state housing in support of the department's
7 statutory responsibilities and charge rent that is consistent with an
8 applicable collective bargaining agreement;

9 (5) charge reasonable fees to cover the costs of issuing
10 easements, licenses, and permits and to cover the costs of reproduc-
11 tion, printing, mailing, and distribution of contract and bid docu-
12 ments and design and construction standards manuals.

13 * Sec. 99. AS 44.42 is amended by adding a new section to read:

14 Sec. 44.42.026. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
15 commissioner of administration shall separately account for rent and
16 fees received by the Department of Transportation and Public Facil-
17 ities under AS 44.42.020(b)(4) and (5) and deposited in the general
18 fund. The annual estimated balance in the accounts may be used by the
19 legislature to make appropriations to the department to carry out its
20 functions under AS 44.42.020.

21 * Sec. 100. AS 44.46 is amended by adding a new section to article 1 to
22 read:

23 Sec. 44.46.025. FEES FOR SERVICES. (a) The department may, by
24 regulation, prescribe reasonable fees for services provided by the
25 department, including fees for services provided under AS 03.05,
26 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020. The department
27 shall collect the fees and deposit them in the general fund.

28 (b) The commissioner of administration shall separately account
29 for service fees collected and deposited in the general fund by the

1 Department of Environmental Conservation. 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 its functions under AS 03.05,
4 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020.

5 * Sec. 101. AS 44.47.380 is amended by adding a new subsection to read:

6 (b) Money in the fund may be used by the legislature to make
7 appropriations for costs of administering the housing assistance
8 program.

9 * Sec. 102. AS 44.50.040 is amended to read:

10 Sec. 44.50.040. FEES. The lieutenant governor may, by regu-
11 lation, prescribe the fee for a notary public commission. The [A] fee
12 [OF \$20] shall be paid to the lieutenant governor for each commission
13 issued to a person other than [TO] a state employee. The lieutenant
14 governor shall deposit the fees in the general fund.

15 * Sec. 103. AS 44.50.040 is amended by adding a new subsection to read:

16 (b) The commissioner of administration shall separately account
17 for notary public commission fees deposited in the general fund by the
18 lieutenant governor. The annual estimated balance in the account may
19 be used by the legislature to make appropriations to the lieutenant
20 governor's office to carry out this chapter.

21 * Sec. 104. AS 44.83.170 is amended by adding a new subsection to read:

22 (i) Money in the power project fund may be used by the legisla-
23 ture to make appropriations for costs of administering the fund.

24 * Sec. 105. AS 44.83.361 is amended by adding a new subsection to read:

25 (g) Money in the rural electrification revolving loan fund may
26 be used by the legislature to make appropriations for costs of ad-
27 ministering the fund.

28 * Sec. 106. AS 45.87.010 is amended by adding a new subsection to read:

29 (b) Money in the fund may be used by the legislature to make

1 appropriations for costs of administering this chapter.

2 * Sec. 107. AS 45.87.020(c) is amended to read:

3 (c) Repayments of the principal, the interest, and the money
4 chargeable to principal or interest that is collected through liq-
5 uidation by foreclosure or other process on a loan made under this
6 chapter [FROM THE BULK FUEL REVOLVING LOAN FUND] shall be paid [BY THE
7 COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT] into the bulk fuel
8 revolving loan fund.

9 * Sec. 108. AS 45.87.060 is amended to read:

10 Sec. 45.87.060. REGULATIONS. The department may [SHALL] adopt
11 regulations necessary to carry out the provisions of [TO IMPLEMENT]
12 this chapter, including regulations to establish reasonable fees for
13 services provided and charges for collecting the fees.

14 * Sec. 109. AS 45.87 is amended by adding a new section to read:

15 Sec. 45.87.065. FEES. The department may collect the fees and
16 collection charges established under AS 45.87.060 and shall deposit
17 the money in the general fund. The commissioner of administration
18 shall separately account for all fees and collection charges that the
19 department deposits in the general fund. The annual estimated balance
20 in the account may be used by the legislature to make appropriations
21 to the department to carry out the purposes of this chapter.

22 * Sec. 110. AS 45.88.010 is amended by adding a new subsection to read:

23 (b) Money in the fund may be used by the legislature to make
24 appropriations for costs of administering this chapter.

25 * Sec. 111. AS 45.88.020(a) is amended to read:

26 (a) The department may

27 (1) make loans for the purchase, construction, and instal-
28 lation of alternative energy systems;

29 (2) adopt regulations necessary to carry out the provisions

1 of this chapter, including regulations to establish reasonable fees
2 for services provided and charges for collecting the fees;

3 (3) collect the fees and collection charges established
4 under this subsection.

5 * Sec. 112. AS 45.88 is amended by adding a new section to read:

6 Sec. 45.88.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
7 commissioner of administration shall separately account for all fees
8 and collection charges that the department deposits in the general
9 fund. The annual estimated balance in the account may be used by the
10 legislature to make appropriations to the department to carry out the
11 purposes of this chapter.

12 * Sec. 113. AS 45.88.030(d) is amended to read:

13 (d) All principal and interest payments, and money chargeable to
14 principal or interest that is collected through liquidation by fore-
15 closure or other process on loans made under this chapter, shall be
16 paid into the alternative [TECHNOLOGY AND] energy revolving loan fund.

17 * Sec. 114. AS 45.89.010 is amended by adding a new subsection to read:

18 (b) Money in the fund may be used by the legislature to make
19 appropriations for costs of administering this chapter.

20 * Sec. 115. AS 45.89.030(h) is amended to read:

21 (h) All principal and interest payments, and money chargeable to
22 principal or interest that is collected through liquidation by fore-
23 closure or other process [AMOUNTS REPAID] on a loan made under this
24 chapter, [SECTION] shall be paid into [DEPOSITED TO] the residential
25 energy conservation fund.

26 * Sec. 116. AS 45.89.070 is amended to read:

27 Sec. 45.89.070. REGULATIONS. The department shall adopt regu-
28 lations necessary to carry out the provisions of [IMPLEMENT] this
29 chapter, including regulations to establish reasonable fees for

1 services provided and charges for collecting the fees.

2 * Sec. 117. AS 45.89 is amended by adding a new section to read:

3 Sec. 45.89.075. FEES. The department may collect the fees and
4 collection charges established under AS 45.89.070. The commissioner
5 of administration shall separately account for all fees and collection
6 charges that the department deposits in the general fund. The annual
7 estimated balance in the account may be used by the legislature to
8 make appropriations to the department to carry out the purposes of
9 this chapter.

10 * Sec. 118. AS 45.90.010 is amended to read:

11 Sec. 45.90.010. CREATION OF A TOURISM REVOLVING FUND. There is
12 created in the Department of Commerce and Economic Development a
13 tourism revolving fund. All principal and interest payments, and
14 money chargeable to principal or interest that is collected through
15 liquidation by foreclosure or other process on loans made under this
16 chapter, shall be paid into the tourism revolving fund.

17 * Sec. 119. AS 45.90.010 is amended by adding a new subsection to read:

18 (b) Money in the fund may be used by the legislature to make
19 appropriations for costs of administering this chapter.

20 * Sec. 120. AS 45.90.020(a) is amended to read:

21 (a) The department may

22 (1) make loans to a business directly involved in the
23 tourist industry;

24 (2) designate agents and delegate powers to them as is
25 necessary;

26 (3) adopt regulations necessary to carry out its functions,
27 including regulations to establish reasonable fees for services pro-
28 vided and charges for collecting the fees;

29 (4) establish amortization plans for the repayment of loans

1 not to exceed 20 years;

2 (5) collect the fees and collection charges established
3 under this subsection.

4 * Sec. 121. AS 45.90 is amended by adding a new section to read:

5 Sec. 45.90.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
6 commissioner of administration shall separately account for all fees
7 and collection charges that the department deposits in the general
8 fund. The annual estimated balance in the account may be used by the
9 legislature to make appropriations to the department to carry out the
10 purposes of this chapter.

11 * Sec. 122. AS 45.95.010(a) is amended to read:

12 (a) The Department of Commerce and Economic Development shall
13 formulate general policies and adopt regulations necessary to carry
14 out the provisions of this chapter, including regulations to establish
15 fees for services provided and charges for collecting the fees. The
16 department may collect the fees and collection charges established.
17 The commissioner of administration shall separately account for all
18 fees and collection charges that the department deposits in the gen-
19 eral fund. The annual estimated balance in the account may be used by
20 the legislature to make appropriations to the department to carry out
21 the purposes of this chapter.

22 * Sec. 123. AS 45.95.020(d) is amended to read:

23 (d) Money loaned shall be delivered to the borrower in the form
24 of a warrant drawn on the treasury, vouchered in the manner prescribed
25 for state disbursing officers, and charged against the small business
26 revolving loan fund. Each voucher shall be approved by the commis-
27 sioner or a [ANY] bonded deputy authorized to act as a certifying
28 officer. Upon repayment of loans by installments, or otherwise, in
29 accordance with the prescribed terms, or upon liquidation by

1 foreclosure or other process, or upon receipt of interest [OR OTHER
2 REVENUE], the money so received shall be turned over to the
3 commissioner of revenue for deposit in the small business revolving
4 loan fund.

5 * Sec. 124. AS 45.95.060 is amended by adding a new subsection to read:

6 (b) Money in the fund may be used by the legislature to make
7 appropriations for costs of administering this chapter.

8 * Sec. 125. AS 45.98.010 is amended to read:

9 Sec. 45.98.010. CREATION OF HISTORICAL DISTRICT REVOLVING LOAN
10 FUND. There is created in the Department of Commerce and Economic
11 Development a historical district revolving loan fund. All principal
12 and interest payments, and money chargeable to principal or interest
13 that is collected through liquidation by foreclosure or other process
14 on loans made under this chapter, shall be paid into the historical
15 district revolving fund.

16 * Sec. 126. AS 45.98.010 is amended by adding a new subsection to read:

17 (b) Money in the fund may be used by the legislature to make
18 appropriations for costs of administering this chapter.

19 * Sec. 127. AS 45.98.030 is amended to read:

20 Sec. 45.98.030. POWERS AND DUTIES OF THE DEPARTMENT. For pur-
21 poses of administering this chapter, the Department of Commerce and
22 Economic Development may

23 (1) prescribe the form and procedure for submitting loan
24 applications under this chapter;

25 (2) designate agents and delegate powers to them as is
26 necessary;

27 (3) in consultation with the Historic Sites Advisory Com-
28 mittee, adopt regulations necessary to carry out its functions, in-
29 cluding regulations for the process of plan approval by the committee

1 and regulations to establish reasonable fees for services provided and
2 charges for collecting the fees;

3 (4) establish amortization plans for the repayment of loans
4 not to exceed 30 years;

5 (5) collect the fees and collection charges established
6 under this section.

7 * Sec. 128. AS 45.98 is amended by adding a new section to read:

8 Sec. 45.98.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The
9 commissioner of administration shall separately account for all fees
10 and collection charges that the department deposits 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 to carry out the
13 purposes of this chapter.

14 * Sec. 129. AS 47.05.070 is amended by adding a new subsection to read:

15 (e) The commissioner of administration shall separately account
16 for third-party collections that the department deposits in the gener-
17 al fund. The annual estimated balance in the account may be used by
18 the legislature to make appropriations to the department to carry out
19 the purposes of AS 47.07.

20 * Sec. 130. AS 47.05 is amended by adding a new section to read:

21 Sec. 47.05.080. RETENTION OF OVERPAYMENTS COLLECTED. (a)
22 Benefit overpayments collected by the department in administering
23 programs under AS 47.25.120 - 47.25.300 (general relief), AS 47.25.-
24 310 - 47.25.420 (aid to families with dependent children), AS 47.25.-
25 430 - 47.25.615 (adult public assistance), and AS 47.25.975 - 47.25.-
26 990 (food stamps) shall be remitted to the Department of Revenue under
27 AS 37.10.050(a).

28 (b) The commissioner of administration shall separately account
29 for overpayment collections 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 for costs
3 of administering the programs listed in (a) of this section.

4 * Sec. 131. Notwithstanding AS 37.10.050(a), as amended by sec. 1, ch.
5 138, SLA 1986, a fee charged by an agency under a regulation that was
6 adopted before July 1, 1987, under authority of a statute that does not
7 expressly authorize a charge for a service is valid if it would have been
8 valid before the 1986 amendment of AS 37.10.050(a). The regulation and fee
9 remain in effect, and the agency may charge for the service, until the
10 regulation is repealed or amended by the agency. To amend the regulation
11 to change the fee, the agency shall meet the standard of AS 37.10.050(a).

12 * Sec. 132. In preparing the governor's budget for fiscal year 1989,
13 proposed general fund appropriations that are based on estimated general
14 fund program receipts as defined in AS 01.10.060(15), enacted in sec. 1 of
15 this Act, shall be identified as general fund/program receipts and shall be
16 included in the funding source designation as part of the general fund
17 total.

18 * Sec. 133. AS 10.05.708(b), 10.05.711(b), 10.05.773; AS 10.15.535,
19 10.15.540; AS 46.03.020(12) and 46.03.025 are repealed.

20 * Sec. 134. This Act takes effect July 1, 1987.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 9, 1987

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 of and accounting for money received for goods and services provided by state agencies.

The purpose of the bill is the same as that of ch. 138, SLA 1986: namely, to expressly authorize setting and receiving fees and other charges by state agencies for the performance of functions prescribed by law. As with ch. 138, SLA 1986, this bill includes provisions requiring separate accounting for these program receipts and provisions suggesting legislative appropriation to the respective programs that produced the receipts. This bill attempts to include the amendments that ch. 138, SLA 1986 missed.

Perhaps the most significant provisions of this bill are in secs. 1 and 95. Section 1 defines "program receipts" as "fees, charges, income earned on assets, and other state money received by a state agency in connection with the performance of its functions" and identifies those receipts that are not general fund program receipts.

Section 95 is a "grandfather clause" that protects from any unintentional invalidation fees charged by agencies under regulations that were adopted before July 1, 1987, notwithstanding last year's amendments of AS 37.10.050(a) which take effect on July 1, 1987.

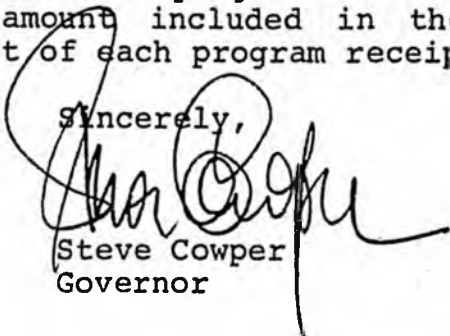
The remaining sections of the bill either (1) expressly authorize the assessment of fees, or the provision of services already impliedly authorized by existing law; or (2) prescribe a method for accounting for and using money generated by state programs.

This bill has a July 1, 1987 effective date, to coincide with the effective date of sec. 1, ch. 138, SLA 1986's amendment of AS 37.10.050(a).

The amendments set out in this bill will make clear the permissible handling of program receipts. Although my Administration believes that the most appropriate use of program receipts is for 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 in the general fund.

For the legislature's convenience, I have forwarded to the House Finance Committee a draft of the bill, the margin of which identifies the department and program affected by each section, along with the amount included in the revised budget (SSHB 75) as a result of each program receipt.

Sincerely,



Steve Cowper
Governor