

HB

126

FISCAL NOTE

BILL NO. HB 126

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____
Title: An Act making technical amendments to program receipts provisions...

Department Affected: Administration
BRU: Retirement and Benefits

Sponsor: House Finance Committee

Component: Retirement and Benefits
Requestor: _____
COMPONENT SERIAL NO. 64

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	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	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of dollars)

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

POSITIONS

FULL-TIME:	0	0	0	0	0	0
PART-TIME:	0	0	0	0	0	0
TEMPORARY:	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (attach a separate page if necessary.)

This bill has no impact on the Division of Retirement and Benefits

Prepared By: Garv Bader
Division: Retirement and Benefits

Phone: 465-4470

Date: 2/19/91

Approved by Commissioner: Millett Keller
Agency: Department of Administration

Date: 2/19/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB & Impacted Agency(ies).

Revision Date: _____ Department Affected: Administration
 Title: "An Act making technical amendments BRU: Central Administration
 to program receipts Provisions in the AK Component: Finance
 Statutes."
 Sponsor: House Finance Committee
 Requestor: House Finance Committee COMPONENT SERIAL NO. 59

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	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	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

The Accounting System (AKSAS) is currently performing this function.

Prepared By: Weldon L. Blackwell *WLB 2/19/91* Phone: 465-2240

Division: Finance Date: 02/19/91

Approved by Commissioner: Millett Keller *MJK 2/19/91*

Agency: Administration *Millett Keller* Date: 2/19/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

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MEMORANDUM

March 26, 1991

SUBJECT: Section 13, HB 126

TO: Senator Pat Rodey
Chair, Senate State Affairs Committee

FROM: David R. Dierdorff 
Revisor of Statutes

In yesterday's committee hearing on HB 126 (the program receipts cleanup), Senator Fischer asked about the need for AS 28.10.421(f), amended in sec. 13 of the bill. That provision relates to receipts from the renewal of Winter Olympics license plates.

The senator was correct in his recollection that the Winter Olympic plate program has been repealed. However, those who purchased the special plates can continue to renew them. Consequently, as long as there is an extra charge for renewal of those plates, AS 28.10.421(f) has some validity.

DRD:pl
91-206.plm

cc: Senator Jim Duncan
Senator Paul Fischer
Senator Pat Pourchot
Senator Rick Uehling

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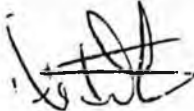
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MEMORANDUM

February 13, 1991

SUBJECT: Technical Amendments Relating to Program Receipts
(HB 126)

TO: Representative Gene Kubina
Chair, House State Affairs Committee

FROM: David R. Dierdorff 
Revisor of Statutes

I note that you have scheduled a hearing for HB 126 on February 20. This memo will provide you and the committee with some background on the bills.

The 16th Legislature enacted ch. 36, SLA 1990, relating to program receipts. As a part of that Act, AS 37.05.142 - 37.05.146 were enacted. They set out general provisions for the treatment of program receipts. AS 37.05.142 requires the Department of Administration to separately account for all deposits of program receipts, whether deposited under AS 37.10.050 or another law. AS 37.05.144 establishes the general legislative intent that the estimated balances in the various separate accounts be used to make appropriations back to the programs generating the receipts to administer the programs, implement related laws, or cover collection costs. AS 37.05.146 defines program receipts.

During the consideration of HB 85, which became ch. 36, each committee hearing the bill (House State Affairs and Finance, Senate Finance and Rules) agreed to defer until the next legislative session the numerous technical amendments required to conform existing provisions to the new general provisions. The revisor of statutes was asked to prepare a bill that would address the technical clean-up. House Bill 126 contains those amendments.

SUMMARY OF THE BILL

Secs. 1, 7-10, 12, 14-15 and 18-23. These bill sections simply delete material that is redundant to the provisions of AS 37.05.142 - 37.05.146.

BILL SUMMARY / SECTIONAL

Secs. 2-6, 11, 13, 16-17, and 24-26. These sections delete material relating to separate accounting that is redundant to AS 37.05.142, and make appropriate amendments to language relating to the intended use of the various program receipts. In each of these instances, the legislature's intent is to use the funds for a purpose that is either narrower than those described generally in AS 37.05.144, or is not directly related to the activity generating the revenue (see, for example, bill sec. 17, amending AS 43.50.350 relating to the use of certain cigarette tax proceeds for health programs).

Sec. 27. This section provides for the repeal of provisions that are redundant to AS 37.05.142 - 37.05.146. The text of the provisions proposed for repeal is attached to this memo as an appendix.

Sec. 28. An immediate effective date is proposed.

SECTIONAL ANALYSIS

The following sectional analysis summarizes the source of the program receipt being dealt with in each statutory provision amended by the bill. In the appendix, if the text of a provision proposed for repeal in sec. 27 of the bill contains a description of the program receipt source, that description is highlighted; if it does not, a highlighted parenthetical description is inserted in the text.

Sec. 1. Payments by nonstate entities for airport services.

Sec. 2. Fees and fines collected under the alcohol laws.

Sec. 3. Commercial use permit fees under the guide law.

Sec. 4. Alaska School Activities Association fees.

Sec. 5. Teacher certification fees.

Sec. 6. Fees for birth certificates suitable for display.

Sec. 7. Certificate of fitness fees.

Sec. 8. Fire and life safety plan check fees.

Sec. 9. Fees related to warning placards for hazardous materials and hazardous wastes.

Sec. 10. Highway encroachment permit fees.

Representative Gene Kubina

February 13, 1991

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Sec. 11. State share of repayments of public assistance provided to a person entitled to child support.

Sec. 12. Rent paid to National Guard for nonmilitary use of facilities.

Sec. 13. Additional fee for Winter Olympics vehicle plates.

Sec. 14. Payments received from other jurisdictions for use of state correctional facilities.

Sec. 15. Deposits for costs of surveys related to homestead entry permits.

Sec. 16. Revenue received from activities on state land and water managed under the recreational river laws.

Sec. 17. Proceeds from added cigarette tax.

Sec. 18. Recording fees.

Sec. 19. Training fees received by the Department of Public Safety.

Sec. 20. Fees for criminal justice information services provided to other government agencies.

Sec. 21. Fees for use of the automated fingerprint system.

Sec. 22. Subscriptions to and sales of Alaska Administrative Journal.

Sec. 23. Fees for certification of underground petroleum storage tank workers.

Sec. 24. Registration fees for underground storage tanks.

Sec. 25. Earnings on storage tank assistance fund.

Sec. 26. Repayments of loans for storage tank cleanup program.

If I may be of further assistance, please advise.

DRD:pl
91-079.plm

APPENDIX "A"

Provisions Proposed for Repeal

Sec. 05.15.025. MONEY DEPOSITED IN GENERAL FUND. Money received by the department under this chapter [**charitable gaming regulation**] shall be deposited in the general fund. The commissioner of administration shall separately account for the money deposited in the general fund under this section. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out enforcement of this chapter.

Sec. 06.01.045. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under this title [**regulation of financial institutions**] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this title.

[**AS 08.01.065**](e) The commissioner of administration shall separately account for **business license and occupational licensing fees** deposited in the general fund by the department. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the activities of the division of occupational licensing.

[**AS 10.06.858**](b) The commissioner of administration shall separately account for all fees collected under this chapter [**regulation of corporations**] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

Sec. 10.15.563. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under this chapter [**regulation of cooperative corporations**] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

Sec. 10.20.643. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under this chapter [**regulation of nonprofit corporations**] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

[AS 10.25.530](c) The commissioner of administration shall separately account for all fees collected under this chapter [**regulation of electric and telephone cooperative corporations**] that the Department of Commerce and Economic Development deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

Sec. 10.35.075. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under this chapter [**registration of business names**] that the Department of Commerce and Economic Development deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

[AS 10.40.140](c) The commissioner of administration shall separately account for all fees and penalties collected under this chapter [**regulation of religious corporations**] that the Department of Commerce and Economic Development deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

Sec. 14.07.035. ACCOUNTING AND DISPOSITION OF RECEIPTS. (a) The commissioner of administration shall separately account for **educational service fees** collected under AS 14.07.030(7) that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of AS 14.07.030.

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

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

(d) The commissioner of administration shall separately account for fees collected under AS 14.07.030(12) [**costs of care and handling of donated foods**] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the programs for which the fees are collected.

(e) The commissioner of administration shall separately account for **money that derives from department auxiliary services, including student services centers,**

student activities, and events administered or operated by the department and that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of AS 14.07.030.

[AS 14.48.090](b) Fees collected under this chapter [postsecondary education] shall be deposited in the general fund. The commissioner of administration shall separately account for all fees that are collected and deposited under this section. The annual estimated balance in the account may be used by the legislature to make appropriations to the commission to carry out the purposes of this chapter.

[AS 16.05.826](d) The commissioner of administration shall separately account for receipts from waterfowl conservation limited edition prints that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes set out in AS 16.05.130(b).

Sec. 16.43.105. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for fees collected under AS 16.43.100, 16.43.160, and 16.43.960 [relating to limited entry permits] that the commission deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the commission to carry out the activities for which fees have been charged.

[AS 16.51.160](b) The seafood marketing assessment collected under this chapter shall be deposited by the Department of Revenue in the general fund and the commissioner of administration shall separately account for the deposits. The legislature may make appropriations to the Department of Commerce and Economic Development for the purpose of providing financing to the institute based on the annual estimated balance in the account, and may appropriate additional money beyond the seafood marketing assessment as need is demonstrated by the institute.

[AS 18.50.330](b) The state registrar shall account for fees received by the bureau under this section [for copies of vital statistics records] and shall pay them to the Department of Revenue. The Department of Revenue shall deposit them in the general fund. The commissioner of administration shall separately account for the fees deposited in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Health and Social Services to carry out the purposes of this section.

Sec. 18.60.950. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for fees collected by the Department of Labor under this chapter [accident prevention/occupational safety] and deposited in the general fund. The annual estimated balance in the account may

be used by the legislature to make appropriations to the Department of Labor to carry out the purposes of this chapter.

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

Sec. 21.06.260. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for fees collected under this chapter [**regulation of insurance**] that the division deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Commerce and Economic Development to carry out the operations of the division.

Sec. 23.05.070. ACCOUNTING AND DISPOSITION OF RECEIPTS. The commissioner of administration shall separately account for money received under AS 23.05.060(6) [**agreements between Department of Labor and nonstate entities**] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of AS 23.05.060.

[AS 28.05.021](b) The commissioner of administration shall separately account for money that is derived from activities authorized under this section [**compacts and reciprocal agreements relating to driver licensing, vehicle registration and other motor vehicle regulatory activities**] and that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section, including payment to commissioned agents.

[AS 28.10.431](i) The commissioner of administration shall separately account for the collection costs received under (e) of this section [**for collecting a municipal motor vehicle registration tax**] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section.

[AS 28.15.271](d) The fees collected by the department under this section [**drivers' licenses and permits**] shall be deposited in the general fund. The Department of Administration shall separately account for the fees collected under this section and deposited in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations for the administration of this chapter.

[AS 34.45.370](b) The commissioner of administration shall separately account for money that the department deposits in the general fund under (a) of this section [from sale of abandoned property]. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the department's duties under this chapter.

[AS 34.55.020](g) The commissioner of administration shall separately account for filing, registration, and inspection fees collected under this chapter [regulation of land sales] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section.

[AS 36.30.730](f) The commissioner shall separately account for fees collected under (c) and (d) of this section [provision of procurement services to other public entities] and deposited in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of (c) and (d) of this section.

[AS 38.05.073](s) The commissioner of administration shall separately account for all money collected under this section [recreational facilities development leasing] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section.

Sec. 39.30.096. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under AS 39.30.095(c) [administration of group insurance] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

Sec. 39.45.021. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under AS 39.45.020(c) [administration of deferred compensation] that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

Sec. 41.08.025. ACCOUNTING AND DISPOSITION OF RECEIPTS. The commissioner of administration shall separately account for money received under AS 41.08.020(b)(5) from agreements [of division of geological and geophysical surveys] with individuals, private agencies, communities and private industry and that the department deposits in the general fund. The annual estimated balance in

the account may be used by the legislature to make appropriations to the department to carry out the purposes of AS 41.08.020.

[AS 41.21.030](b) The commissioner of administration shall separately account for fees and other money collected under AS 41.21.026 - 41.21.028 [state park use fees and concession contracts] and deposited under (a) of this section. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

[AS 42.05.651](b) The commissioner of administration shall separately account for [Public Utility Commission public utilities Act] investigation and hearing costs collected under this section that the commission deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the commission to carry out the purposes of this section.

[AS 42.06.610](c) The commissioner of administration shall separately account for [PUC pipeline Act] investigation and hearing costs collected under this section that the commission deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the commission to carry out the purposes of this chapter.

[AS 42.30.225](f) The commissioner of administration shall separately account for [air carrier] certificate of compliance fees collected under this section that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section.

Sec. 43.10.037. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for collection fees added to delinquent taxes and that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

[AS 44.21.410](c) The commissioner of administration shall separately account for money received under (b)(3) of this section [private and other grants to office of public advocacy] and deposited in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Administration to carry out the purposes of this section.

[AS 44.29.022](c) The commissioner of administration shall separately account for fees [for department services] collected under this section that the Department of Health and Social Services deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department.

[AS 44.29.220](b) The commissioner of administration shall separately account for all **earnings, interest, fees, and collection charges [related to the alcoholism and drug abuse revolving loan fund]** that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of AS 44.29.210 - 44.29.230.

Sec. 44.33.022. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for fees collected under AS 44.33.020(25), (28) and (29), respectively, that the **Department of Commerce and Economic Development** deposits in the general fund. The annual estimated balance in each account may be used by the legislature to make appropriations to the department to finance the programs from which the receipts are derived.

[AS 44.33.120](c) The commissioner of administration shall separately account for money that derives from **the sale of advertising space, pamphlets, brochures, and other graphic and marketing materials [related to tourism]** under this section and AS 44.33.020(28) and that the division of tourism deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Commerce and Economic Development to cover related costs of the division of tourism.

[AS 44.33.730](b) The commissioner of administration shall separately account for all **receipts [of the tourism marketing council]** deposited in the general fund under (a) of this section. The annual estimated balance in the account may be used by the legislature to make appropriations to the council to carry out its purposes under AS 44.33.700 - 44.33.735.

[AS 44.88.420](b) The commissioner of administration shall separately account for all **fees and collection charges** that the authority [AIDEA] deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the authority to carry out the purposes of AS 44.88.400 - 44.88.430.

Sec. 45.09.409. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for fees charged under AS 45.09.401 - 45.09.408 [**UCC filing fees**] that the Department of Natural Resources deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of AS 45.09.401 - 45.09.408.

Sec. 45.55.265. ACCOUNTING AND DISPOSITION OF FEES. The commissioner of administration shall separately account for all fees collected under this chapter [**Alaska Securities Act**] that the Department of Commerce and

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

[AS 47.10.120](d) The commissioner of administration shall separately account for **support fees [for child in need of aid or a delinquent minor]** collected under this section that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section.

[AS 47.20.910](g) The commissioner of administration shall separately account for **medical care and treatment fees** collected under this section that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section.

[AS 47.55.020](d) The money received by the commissioner of revenue under this section [**Pioneers' Home residents' excess income payments**] shall be deposited in the general fund. The commissioner of administration shall separately account for money deposited under this section. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Administration to carry out the purposes of this chapter.

[AS 47.55.030](e) The commissioner of administration shall separately account for money received under this section [**Pioneers' Home monthly rate payments**] and deposited in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Administration to carry out the purposes of this section.

[AS 47.80.150](g) The commissioner of administration shall separately account for **medical care and treatment fees** collected under this section that the department deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this chapter.

DRD:pl
91-079.plm

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
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MEMORANDUM

March 13, 1991

SUBJECT: Enclosed Amendment for HB 126 (W.C. 7-LS0253A.2)

TO: Senator Pat Rodey
Chair, Senate State Affairs Committee

FROM: David R. Dierdorff *DRD*
Revisor of Statutes

Enclosed is another amendment for HB 126, the program receipts technical "clean-up" bill. This provision was not discovered in our original computer search for sections that needed amending or repealing. This should be the last.

Please let me know if you have any questions about the bill or the two amendments that need to be answered before the bill's first hearing.

DRD:gc
91-154.glc

Enclosure

PROP. AMEND. 7-13-91

A M E N D M E N T

OFFERED IN THE SENATE STATE AFFAIRS COMMITTEE

TO: HB 126

Page 8, following line 4:

Insert a new bill section to read:

"* Sec. 23. AS 46.03.032(n) is amended to read:

(n) State appropriations in excess of the amount required by the federal Clean Water Act, as amended by P.L. 100-4, shall be accounted for separately. Repayments of principal from loans from these amounts shall be deposited in the Alaska clean water fund. Payments of interest from loans made from these amounts and earnings on these amounts shall be deposited in the general fund. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR THE INTEREST PAYMENTS AND EARNINGS THAT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION DEPOSITS IN THE GENERAL FUND.]"

Renumber the following bill sections accordingly.

DIVISION OF LEGAL SERVICES

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MEMORANDUM

March 14, 1991

SUBJECT: Enclosed Amendment for HB 126

TO: Senator Pat Rodey
Chair, Senate State Affairs Committee

FROM: David R. Dierdorff 
Revisor of Statutes

I prepared the enclosed amendment at the request of Richard Burton, the commissioner of public safety. When AS 44.41.020(a) was amended in 1986 to provide for accounting of training fees, the language used did not expressly authorize the charging of those fees, but clearly implied that there were fees charged and collected. The 1989 - 1990 legislation that attempted to "fix" and clarify all such language in program receipts authority failed to pick up the problem in AS 44.41.020.

The amendment would clarify the department's authority to charge fees, which is in jeopardy with the deletion of the accounting language by sec. 19 of HB 126 as currently drafted. Because it has been the intent of HB 126 to avoid any change in current program receipt authority, this amendment is consistent with the purpose of HB 126 and I recommend that the committee incorporate the amendment in a CS if the committee decides to take positive action on the bill.

DRD:mi
91-051.mai

Enclosure



PROP. AMEND. 3-14-91

A M E N D M E N T

OFFERED IN THE SENATE STATE AFFAIRS COMMITTEE

TO: HB 126

Page 7, line 1, after ".":

Insert "The department may charge a reasonable fee for services provided under a training agreement."