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1 AS 18.56.010(b) - (e); and

2 (4) the amount of interest rate, building, and other subsidies for each
3 program of the corporation for which subsidies are given.

4 * Sec. 96. AS 18.56.210(a) is amended to read:

5 (a) If the board of directors determines that it is in the best interest of the corporation,
6 the corporation may take appropriate action under this section to stabilize the market price of and
7 demand for residential housing in the state. To accomplish the purposes of this section, the
8 corporation may

9 (1) make and execute necessary agreements and conveyances under which a
10 borrower may exchange residential housing securing a mortgage loan owned, held, or sold by the
11 corporation for other residential housing owned by the corporation;

12 (2) repurchase a mortgage loan sold or pledged by the corporation for the purpose
13 of exercising a power conferred by this section;

14 (3) for the purpose of qualifying residential housing situated in a condominium
15 project for the best available financing for mortgage loans, make and execute agreements and
16 contracts necessary to encourage all owners who occupy units in a condominium project that is
17 not eligible for financing under this chapter to exchange their ownership interest for a
18 condominium unit owned by the corporation in another project;

19 (4) make and execute appropriate agreements with insurers, investors, and
20 guarantors concerning the temporary removal of residential housing owned by the corporation
21 from the resale market;

22 (5) convert residential housing owned by the corporation that is designed and
23 constructed for owner occupancy to another beneficial use;

24 (6) make bulk sales of property owned by the corporation under procedures and
25 terms the corporation determines are in the best interests of the corporation;

26 (7) after giving due consideration to the interests of competing individual sellers
27 of residential housing, provide financing under terms established by the board to promote the sale
28 of residential housing owned by the corporation;

29 (8) invest funds of the corporation in the removal and disposal of substandard
30 publicly owned residential housing if the board of directors determines that the investment is
31 prudent, properly secured, and in the long-term best interests of the corporation;

1 (9) create subsidiary entities to implement a power conferred by this section and
2 to provide insurance under AS 18.56.093 and 18.56.095;

3 (10) purchase loans from the housing assistance loan fund (AS 44.47.380) if and
4 only if [:

5 (A)] the payments of principal and interest on the loans, or amounts
6 equal to the payments of principal and interest on the loans, are deposited in a
7 separate fund of the corporation to be used for the purposes, and subject to the standards
8 and criteria, of AS 44.47.360 - 44.47.560 as those statutes provided on June 10, 1988;
9 [AND

10 (B) THE CORPORATION HAS ESTABLISHED A SOURCE OF
11 MORTGAGE INSURANCE FOR NEW LOANS SUBJECT TO THE PROVISIONS OF
12 AS 44.47.360 - 44.47.560;] and

13 (11) take other actions necessary, convenient, or desirable to carry out the powers
14 granted in this subsection.

15 * Sec. 97. AS 18.56.210(a)(10) is repealed and reenacted to read:

16 (10) purchase loans from the former housing assistance loan fund (former
17 AS 44.47.380) if and only if the payments of principal and interest on the loans, or amounts
18 equal to the payments of principal and interest on the loans, are deposited in a separate fund of
19 the corporation to be used for the purposes, and subject to the standards and criteria, of former
20 AS 44.47.360 - 44.47.560 as those statutes provided on June 10, 1988; and

21 * Sec. 98. AS 18.56 is amended by adding a new section to read:

22 Sec. 18.56.220. DUTY TO ADVISE ABOUT CORPORATION'S PROGRAMS. The
23 corporation shall make a reasonable effort, through seminars, training sessions, and other forms
24 of technical assistance, to assist local governments, regional housing authorities, nonprofit
25 organizations, and other organizations and individuals to understand the corporation's housing
26 programs and the opportunities that exist to obtain financial assistance from the corporation.

27 * Sec. 99. AS 18.56.300(d) is amended to read:

28 (d) This section does not apply to a nonconforming housing loan made or purchased
29 by the corporation [UNDER AS 18.56.106].

30 * Sec. 100. AS 18.56 is amended by adding new sections to read:

31 Sec. 18.56.390. DEFINITIONS FOR AS 18.56.010 - 18.56.390. In AS 18.56.010 -

1 18.56.390, unless the context clearly indicates a different meaning,

2 (1) "adjustable rate mortgage loan" means a mortgage loan with respect to which
3 the interest rate varies or is expected to vary from time to time by reference to an index or
4 formula or other reference point;

5 (2) "bond" or "obligation" means a bond, bond anticipation note, or other note of
6 the corporation authorized to be issued by the corporation under this chapter, or a mortgage
7 participation certificate issued with respect to mortgages of the corporation;

8 (3) "construction loan" means a construction loan for land development or
9 residential housing that is secured by a federally insured or guaranteed mortgage or that is
10 insured or guaranteed by the United States or an instrumentality of the United States, or for
11 which there is a commitment by the United States or an instrumentality of the United States to
12 insure or guarantee such a loan, or a construction loan for land development or residential
13 housing which land development or residential housing will be secured by a mortgage loan;

14 (4) "development costs" means the costs approved by the corporation as
15 appropriate expenditures that may be incurred by sponsors, builders, and developers of residential
16 housing, before commitment and initial advance of the proceeds of a construction loan or of a
17 mortgage loan, including but not limited to

18 (A) payments for options to purchase properties on the proposed
19 residential housing site, deposits on contracts of purchase, or, with prior approval of the
20 corporation, payments for the purchase of the properties;

21 (B) legal and organizational expenses, including payments of attorney fees,
22 project manager, clerical, and other staff salaries, office rent, and other incidental
23 expenses;

24 (C) payment of fees for preliminary feasibility studies and advances for
25 planning, engineering, and architectural work;

26 (D) expenses for tenant surveys and market analyses; and

27 (E) necessary application and other fees;

28 (5) "governmental agency" means any department, division, public agency,
29 political subdivision, or other public instrumentality of the state or the federal government;

30 (6) "housing development fund" means the housing development fund created by
31 AS 18.56.100;

1 (7) "land development" means the process of acquiring land primarily for
2 residential housing construction for persons of lower and moderate income and making, installing,
3 or constructing nonresidential housing improvements, including water, sewer, and other utilities,
4 roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or works,
5 whether on or off the site, that the corporation considers necessary or desirable to prepare the
6 land primarily for residential housing construction;

7 (8) "mortgage" or "mortgage loan" means a mortgage loan for residential housing
8 insured or guaranteed by the United States or an instrumentality of the United States or for which
9 there is a commitment by the United States or an instrumentality of the United States to insure
10 or guarantee such a mortgage, or if not so insured or guaranteed or if there is no such
11 commitment, that is secured upon such terms and conditions as the corporation considers
12 necessary or practicable to insure all repayments;

13 (9) "persons of lower and moderate income" means a person or persons
14 considered by the corporation to require assistance available under this chapter on account of
15 insufficient or inadequate personal or family income or otherwise limited personal financial
16 resources, taking into consideration, without limitation, such factors as

17 (A) the amount of the total income of the persons available for housing
18 needs;

19 (B) the size of the family;

20 (C) the cost and condition of housing facilities available;

21 (D) standards established for various federal programs determining
22 eligibility based on income of the persons; and

23 (E) the ability of the persons to compete successfully in the normal
24 housing market and to pay the amounts at which private enterprise is providing decent,
25 safe, and sanitary housing;

26 (10) "remote, underdeveloped, or blighted areas" means areas considered by the
27 corporation to require assistance available under this chapter on account of insufficient
28 availability of the residential housing necessary to promote, develop, or maintain the economic
29 growth or potential of the area, taking into consideration, without limitation, the following:

30 (A) the population, resources, and environment of the area;

31 (B) the present availability and condition of residential housing in and near

1 the area;

2 (C) the cost of construction and rehabilitation of residential housing in the
3 area;

4 (D) the availability of other federal or state sponsored programs to
5 facilitate the development of residential housing in the area; and

6 (E) the ability of residents of the area to finance the purchase of
7 residential housing or to rent or lease residential housing at rates comparable to those in
8 effect in other areas of the state;

9 (11) "residential building" or "residential housing"

10 (A) means a specific work or improvement undertaken primarily to
11 provide dwelling accommodations without limitation as to form of lawful occupancy,
12 whether rental, under contract, fee ownership, cooperative housing, condominium, mobile
13 home, or other lawful form of ownership;

14 (B) includes

15 (i) special needs housing; and

16 (ii) the acquisition, construction, or rehabilitation of land,
17 buildings, and improvements to them, and other nonhousing facilities as may be
18 incidental or appurtenant to the land or buildings;

19 (12) "special needs housing"

20 (A) means residential housing designed to meet the needs of persons with
21 specific and special housing needs, including supportive services;

22 (B) includes

23 (i) housing for the elderly and individuals with a disability or
24 mental illness;

25 (ii) emergency shelter for the homeless; and

26 (iii) transitional housing;

27 (13) "sponsors" means individuals, public and private corporations, associations,
28 partnerships or other entities, whether or not operated for profit; and consumer housing
29 cooperatives, associations, partnerships, or other entities organized under law for the primary
30 purpose of providing housing to individuals and families of lower and moderate income; it
31 includes organizations engaged in the production, origination, and development of residential

1 housing units intended to qualify for financial assistance under 42 U.S.C. 1437f (sec. 8, Housing
2 Act of 1937), as amended.

3 ARTICLE 2. HOUSING ASSISTANCE.

4 Sec. 18.56.400. POWERS OF CORPORATION RELATED TO HOUSING
5 ASSISTANCE. The board may

6 (1) adopt regulations in accordance with AS 18.56.088 to implement
7 AS 18.56.400 - 18.56.600;

8 (2) make and execute agreements, contracts, and other instruments necessary or
9 convenient in the exercise of the powers and functions granted under AS 18.56.400 - 18.56.600;

10 (3) purchase or participate in the purchase of small community housing mortgage
11 loans under AS 18.56.400 - 18.56.600;

12 (4) purchase or participate in the purchase of loans for building materials for
13 small community housing under AS 18.56.400 - 18.56.600;

14 (5) procure insurance against loss in connection with the corporation's functions
15 under AS 18.56.400 - 18.56.600;

16 (6) acquire real or personal property, or an interest in real or personal property,
17 by purchase, transfer, or foreclosure, when the acquisition is necessary or appropriate to protect
18 a loan in which the corporation has an interest; sell, transfer and convey that property to a buyer,
19 and, if the sale, transfer or conveyance cannot be effected with reasonable promptness or at a
20 reasonable price, rent or lease the property to a tenant pending the sale, transfer or conveyance;

21 (7) do all acts necessary, convenient or desirable to carry out the powers expressly
22 granted or necessarily implied in AS 18.56.400 - 18.56.600;

23 (8) originate and service direct loans made to qualified buyers under
24 AS 18.56.400 - 18.56.600.

25 ~~Sec. 18.56.410.~~ ALASKA ENERGY EFFICIENT HOME GRANT FUND. (a) There
26 is established in the corporation the Alaska energy efficient home grant fund consisting of money
27 appropriated to it by the legislature and deposited in it by the corporation. The corporation shall
28 administer the Alaska energy efficient home grant fund under the provisions of this section.

29 (b) Subject to appropriation, the corporation may grant funds from the Alaska energy
30 efficient home grant fund to agencies of the state or federal government, individuals, or
31 businesses that retrofit existing single family dwellings or build new single family dwellings that

1 meet criteria adopted by the corporation.

2 (c) The corporation shall adopt guidelines and procedures for the fund after consultation
3 with the board of directors of the Alaska Craftsman Home Program.

4 Sec. 18.56.420. HOUSING ASSISTANCE LOAN FUND. (a) There is created in the
5 corporation, as a revolving loan fund, the housing assistance loan fund consisting of money
6 appropriated to it by the legislature and deposited in it by the corporation, and repayments of
7 principal and interest on loans made or purchased from the assets of the fund. The corporation
8 shall

9 (1) adopt regulations to administer the housing assistance loan fund under
10 AS 18.56.400 - 18.56.600; and

11 (2) subject to appropriation, provide money for a rural assistance loan program
12 to originate, purchase, or participate in the purchase of

13 (A) small community housing mortgage loans;

14 (B) loans made for building materials for small community housing;

15 (C) loans made for renovations or improvements to small community
16 housing;

17 (D) loans made for the construction of owner-occupied small community
18 housing other than loans to builders or contractors or loans that compensate an owner for
19 the owner's labor or services in constructing the owner's own housing.

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

22 Sec. 18.56.430. HOME OWNERSHIP ASSISTANCE FUND. (a) There is created in
23 the corporation the home ownership assistance fund consisting of money appropriated to it by
24 the legislature and deposited in it by the corporation. Money in the fund shall be used solely to
25 assist persons of lower and moderate income to purchase or construct single-family homes
26 financed under AS 18.56.400 - 18.56.600 by providing a subsidy to those persons.

27 (b) The subsidy provided by this section may not exceed the amount that is necessary
28 to reduce the annual interest rate paid on the mortgage loan to six percent.

29 (c) A mortgage loan that is subsidized from the home ownership assistance fund may not
30 exceed \$120,000.

31 (d) The corporation shall adopt regulations that establish maximum income-to-loan

1 payment ratios for persons who apply for a subsidy under this section.

2 (e) In this section, "persons of lower and moderate income" means individuals considered
3 by the corporation to require assistance under this section because of inadequate income or other
4 limited personal financial resources, taking into consideration

5 (1) the amount of total income available for housing needs;

6 (2) the size of the family;

7 (3) the cost and condition of available housing;

8 (4) standards established in various federal programs for determining eligibility
9 based on income;

10 (5) the ability to enter the private housing market and to pay market amounts for
11 decent, safe, and sanitary housing; and

12 (6) other factors considered relevant by the corporation.

13 Sec. 18.56.440. LIMITATIONS ON USE OF HOUSING ASSISTANCE LOAN FUND.

14 The corporation may not use the money in the housing assistance loan fund to

15 (1) originate a direct loan or purchase or participate in the purchase of a small
16 community housing mortgage loan that exceeds the limitations on mortgage loans purchased by
17 the Federal National Mortgage Association as to principal amount or loan-to-value ratio;

18 (2) originate a direct loan or purchase or participate in the purchase of a loan
19 made for building materials for small community housing

20 (A) that exceeds \$45,000 or exceeds

21 (i) 80 percent of the appraised value of the work completed on the
22 small community housing for which the loan is made if the small community
23 housing is pledged as collateral for the loan; or

24 (ii) 90 percent of the value of other property that is pledged as
25 ~~security~~ security for the loan and that is satisfactory to the corporation as collateral;

26 (B) unless the terms of the loan agreement require inspections and
27 certifications, as required by regulations of the corporation, at the expense of the
28 borrower; and

29 (C) unless the period of time allowed for repayment of the loan is equal
30 to or less than 15 years;

31 (3) originate direct loans or purchase or participate in the purchase of a small

1 community housing mortgage loan that is secured by real property the marketable title to which
2 is shown under AS 18.56.480(b)(2) if the total amount of outstanding small community housing
3 mortgage loans held by the corporation exceeds 10 times the amount of money in the restricted
4 title loss reserve account established by AS 18.56.490;

5 (4) originate a direct loan for small community housing or purchase or participate
6 in the purchase of a small community housing mortgage loan, other than a loan for the repair,
7 remodeling, rehabilitation, or expansion of an existing owner-occupied residence, if the borrower
8 has an outstanding housing loan made under a state loan program, other than a loan for
9 nonowner-occupied housing under AS 18.56.580 or under former AS 44.47.520, that bears
10 interest at a rate that was less than the prevailing market interest rate for similar housing loans
11 at the time the loan was made;

12 (5) originate a direct mortgage loan or purchase or participate in the purchase of
13 a mortgage loan for rental housing unless the borrower agrees not to discriminate against tenants
14 or prospective tenants because of sex, marital status, changes in marital status, pregnancy,
15 parenthood, race, religion, color, national origin, or status as a student;

16 (6) originate, purchase, or participate in a loan to a person who has a past due
17 child support obligation established by court order or by the child support enforcement division
18 under AS 25.27.160 - 25.27.220 at the time of application.

19 Sec. 18.56.450. OPERATING LOSS RESERVE ACCOUNT. (a) There is established
20 an operating loss reserve account for the purpose of meeting legal expenses incurred through the
21 foreclosure of properties acquired by the corporation under AS 18.56.400(6) and making repairs
22 to these properties so that they may be sold to new buyers.

23 (b) The operating reserve loss account consists of money appropriated to it by the
24 legislature and deposited in it by the corporation. To the extent that money is paid out of the
25 operating loss reserve account for the purposes stated in this section, this money shall be replaced
26 with money received as interest on loans authorized by AS 18.56.400 - 18.56.600.

27 Sec. 18.56.460. SECURITY FOR LOANS. (a) The corporation shall adopt regulations
28 in accordance with AS 18.56.088 establishing acceptable security for loans originated or
29 purchased in whole or in part under AS 18.56.420.

30 (b) A person may pledge as security for the repayment of a loan originated or purchased
31 in whole or in part under AS 18.56.420 a preference right that person holds to receive title to

1 land the person occupies as a primary place of residence, primary place of business, subsistence
2 campsite, or as headquarters for reindeer husbandry. The preference right must be conveyed to
3 the person by the Native corporation to which the land was granted under 43 U.S.C. 1613
4 (Alaska Native Claims Settlement Act) before it may be pledged as security under this
5 subsection. The corporation shall prescribe procedures and standard forms for establishing,
6 pledging, and appraising the value of a preference right held by a person to secure the repayment
7 of a loan originated or purchased in whole or in part under AS 18.56.420.

8 Sec. 18.56.470. INTEREST ON LOANS. (a) The interest rate on a mortgage loan
9 originated or purchased in whole or in part under AS 18.56.420 for small community housing
10 is one percent less than the interest rate, as determined under AS 18.56.098(g)(1) - (4), on a
11 mortgage loan purchased under AS 18.56.098(a) from the proceeds of the most recent applicable
12 issue of taxable bonds before the origination or purchase of the mortgage loan originated or
13 purchased under AS 18.56.420.

14 (b) Notwithstanding the requirements of (a) of this section, if there has not been an
15 applicable issue of taxable bonds issued within six months before the origination or purchase of
16 a loan under this section, the corporation may estimate the interest rate that an issue of taxable
17 bonds would bear.

18 Sec. 18.56.480. TITLE. (i) Before the corporation originates or purchases a small
19 community housing mortgage loan in whole or in part, the corporation may require a borrower
20 to show marketable title to real property offered as security for the loan to be purchased.

21 (b) A borrower may show marketable title to real property for the purposes of (a) of this
22 section

23 (1) by purchasing title insurance from a title insurance company authorized to do
24 business in the state; or

25 (2) by delivering to the corporation a copy of a letter of intent signed by an
26 authorized representative of the United States Department of the Interior that shows the transfer
27 of title to the property from the United States government to the borrower if

28 (A) the borrower is an Alaska Native; and

29 (B) title to the property was originally transferred from the United States
30 government, directly or indirectly, to the borrower under federal law.

31 (c) For the purposes of this section, a deed which federal law prohibits or limits the

1 power to transfer or encumber and which would otherwise constitute marketable title to real
2 property is considered marketable title to real property if the United States Bureau of Indian
3 Affairs or another appropriate federal agency waives immunity under the federal law from
4 foreclosure or other alienation of the real property.

5 Sec. 18.56.490. RESTRICTED TITLE LOSS RESERVE ACCOUNT. (a) There is
6 established in the corporation the restricted title loss reserve account. The restricted title loss
7 reserve account consists of money appropriated to it by the legislature and deposited to it by the
8 corporation, and shall be administered by the corporation.

9 (b) The corporation may withdraw money from the restricted title loss reserve account
10 in an amount equal to the loss to the corporation on a small community housing mortgage loan
11 originated or purchased in whole or in part by the corporation if marketable title to the real
12 property used to secure the loan was shown under AS 18.56.480(b)(2). Money withdrawn from
13 the restricted title loss reserve account under this section shall be deposited in the housing
14 assistance loan fund.

15 Sec. 18.56.500. FIRE INSURANCE. Before purchasing or participating in the purchase
16 of a small community housing mortgage loan, the corporation may require the borrower to agree
17 to purchase and maintain fire insurance for the real property for which the loan is made in an
18 amount not less than the outstanding principal balance of the loan.

19 Sec. 18.56.510. LOAN ORIGINATION AND SERVICING. (a) Before purchasing or
20 participating in the purchase of a small community housing mortgage loan, the corporation shall
21 enter into a loan servicing agreement with the private financial institution from which the loan
22 is to be purchased.

23 (b) The corporation may execute service agreements with private lending institutions or
24 with regional native housing authorities established under AS 18.55.996 to service loans
25 originated by the corporation or loans originated under AS 18.55.997.

26 (c) Under the servicing agreement, the private financial institution or the regional native
27 housing authority shall administer the loan and may charge the corporation a negotiated
28 origination or servicing fee on the corporation's share of the loan. When appropriate, the private
29 financial institution or the regional native housing authority may also charge the borrower a
30 reasonable originator fee not to exceed one percent.

31 Sec. 18.56.520. APPRAISALS. Before originating or purchasing or participating in the

1 purchase of a small community housing mortgage loan, the corporation may have or may require
2 the borrower to have an appraisal made of the fair market value of the real property, including
3 structures on the real property, for which the loan is made. In conducting an appraisal under this
4 section, the appraiser shall give full value to insulation and other features of construction in
5 structures on the real property that add to the energy efficiency of the structures.

6 Sec. 18.56.530. ENERGY AUDIT EXEMPTION. In making loans under AS 18.56.400 -
7 18.56.600, the corporation is exempt from the requirements of AS 46.11.050(b).

8 Sec. 18.56.540. TOLL-FREE TELEPHONE NUMBER. For the purposes of
9 administration of AS 18.56.400 - 18.56.600, the corporation shall arrange for and maintain a
10 toll-free telephone number for the corporation so that private financial institutions and their
11 borrowers may contact the corporation from any location in the state by telephone without a toll
12 charge.

13 Sec. 18.56.550. FIELD OFFICES; CONTRACT SERVICES; ASSISTANCE TO
14 OTHERS. (a) The corporation may establish field offices under AS 18.56.400 - 18.56.600, may
15 hire one or more lending officers, and may contract for the services of

16 (1) real property appraisers who are familiar with housing and construction in
17 small communities; and

18 (2) engineers who are familiar with engineering problems in arctic and subarctic
19 regions.

20 (b) The personnel described in (a) of this section may make visits to the regions
21 established under AS 18.56.570(a) to provide preconstruction and post-construction inspections
22 of real property for which loans are originated or purchased by the corporation in whole or in
23 part under AS 18.56.420 and to provide assistance to private financial institutions and their
24 borrowers in the regions. Authority for final approval of loan may not be exercised by the
25 personnel described in this section.

26 Sec. 18.56.560. DEMONSTRATION PROJECTS AND INFORMATION. The
27 corporation may enter into agreements with public and private agencies to provide demonstration
28 projects and information concerning housing construction in each of the regions established under
29 AS 18.56.570(a).

30 Sec. 18.56.570. REGIONAL ALLOCATION. (a) The corporation, by regulations
31 adopted in accordance with AS 18.56.088, shall establish and may amend the boundaries of

1 reasonably compact and contiguous regions in the state.

2 (b) Unless otherwise required by an appropriation, the corporation shall allocate the
3 money in the housing assistance loan fund among the regions established under (a) of this section
4 for the purpose of originating or purchasing each type of loan described in AS 18.56.420. In
5 making an allocation under this subsection, the corporation shall consider the past and potential
6 lending activity of private financial institutions in the region as well as the need for loans in the
7 region. The corporation may reallocate the money among the regions as the corporation
8 considers necessary.

9 Sec. 18.56.580. LOANS FOR NONOWNER OCCUPIED HOUSING. (a) In addition
10 to the powers authorized by AS 18.56.400, the corporation may adopt regulations under
11 AS 18.56.088 allowing the use of money in the housing assistance loan fund to make loans for
12 the purchase or development of nonowner occupied housing in small communities.

13 (b) The rate of interest on a loan authorized by this section may not exceed 10-1/2
14 percent a year.

15 (c) The principal amount of loans made for nonowner occupied housing under this
16 section may not exceed 20 percent of the total principal amount of loans made for small
17 community housing under AS 18.56.400 - 18.56.600.

18 (d) In this section

19 (1) "development" means the construction of a new residence or the repair,
20 remodeling, rehabilitation, or expansion of an existing residence;

21 (2) "nonowner occupied housing" means a single-family residence or a
22 multi-family residence having up to eight dwelling units and that is not occupied by the owner;
23 the corporation may modify this definition if it determines that there is a special need for
24 nonowner occupied housing and that a change in the definition is necessary to enable the
25 corporation to meet that need.

26 Sec. 18.56.590. ANNUAL REPORT. To further ensure effective budgetary decision
27 making by the legislature, the corporation shall present a complete accounting of the housing
28 assistance revolving fund to the legislature each year by January 10. The accounting must consist
29 of an audit by an independent outside auditor for that year. The accounting must include a full
30 description of all mortgage loan interest and principal repayments and program receipts for
31 purposes of programs under AS 18.56.400 - 18.56.600, including mortgage loan commitment

1 fees, received by or accrued to the corporation during the preceding fiscal year, and all income
2 earned on assets held by the corporation for purposes of programs under AS 18.56.400 -
3 18.56.600 during that period.

4 Sec. 18.56.600. DEFINITIONS. In AS 18.56.400 - 18.56.600,

5 (1) "housing" means owner-occupied, single-family housing and owner-occupied
6 duplexes in which not more than 25 percent of the gross floor area is or will be devoted to
7 commercial use;

8 (2) "small community" means a community with a population of 5,500 or less
9 that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,400
10 or less that is connected by road or rail to Anchorage or Fairbanks; in this paragraph, "connected
11 by road" does not include a connection by the Alaska marine highway system.

12 ARTICLE 3. LOW COST AND LOW INCOME MULTIPLE FAMILY
13 HOUSING DEVELOPMENT FUND.

14 Sec. 18.56.650. LOW COST AND LOW INCOME MULTIPLE FAMILY HOUSING
15 DEVELOPMENT. (a) There is created in the corporation a low cost and low income multiple
16 family housing development fund. Subject to appropriation the corporation shall make grants to
17 municipalities or public or private nonprofit corporations designated as tax exempt under 26
18 U.S.C. 501(c)(3) and (4) (Internal Revenue Code of 1954) for the purpose of developing low
19 cost, low income multiple family housing.

20 (b) Application for a grant under (a) of this section shall be in the form prescribed by
21 the corporation. The application

22 (1) shall demonstrate the need for low cost, low income multiple family housing
23 in the area to be served, the feasibility of the proposed project; and

24 (2) must include an adequate management plan that shall demonstrate the ability
25 of the eligible recipient to sustain the proposed project.

26 (c) A low cost and low income multiple family housing project developed under this
27 section

28 (1) shall be prepared in accordance with facility procurement policies developed
29 by the Department of Transportation and Public Facilities under AS 35.10.160 - 35.10.200; and

30 (2) is a public facility under AS 35.10.160 - 35.10.200.

31 (d) The corporation shall adopt regulations under AS 18.56.088 to carry out the purposes

1 of this section.

2 (e) In this section, "low cost and low income multiple family housing"

3 (1) means a specific work or improvement undertaken primarily to provide
4 multiple family dwelling accommodations for low income persons;

5 (2) includes the acquisition, construction, or rehabilitation of land, buildings,
6 improvements, and other nonhousing facilities that are incidental or appurtenant to the housing.

7 ARTICLE 4. SENIOR HOUSING OFFICE.

8 Sec. 18.56.700. SENIOR HOUSING OFFICE. (a) There is established in the
9 corporation a senior housing office. The office shall promote a comprehensive response to the
10 needs of senior citizens for adequate, accessible, secure, and affordable housing in the state. In
11 order to fulfill this purpose, the office may

12 (1) study the needs of senior citizens in the state for housing to meet their needs;

13 (2) seek financial assistance from appropriate sources for the development of
14 housing alternatives for senior citizens;

15 (3) administer the senior housing loan program established under AS 18.56.700 -
16 18.56.799;

17 (4) cooperate and coordinate with other public and private agencies to respond
18 to the housing needs of senior citizens;

19 (5) offer public education programs to increase the awareness of alternatives to
20 large residential facilities for senior citizens;

21 (6) provide information to senior citizens to help them understand their financial
22 alternatives related to homes they might already own and to help them coordinate with other
23 senior citizens in finding housing alternatives, including information and coordination on home
24 equity conversion and home sharing; and

25 (7) disseminate information to construction contractors to educate them about
26 remodeling projects that would meet the needs of many senior citizens for accessible and secure
27 housing.

28 (b) In order to avoid duplication of efforts and to benefit from the commission's
29 expertise, the office shall consult with the Older Alaskans Commission in the performance of the
30 office's duties under AS 18.56.700 - 18.56.799 so that the housing needs of senior citizens can
31 be met most efficiently and effectively.

1 Sec. 18.56.710. SENIOR HOUSING REVOLVING FUND. (a) The senior housing
2 revolving fund is established. The revolving fund consists of appropriations made to it by the
3 legislature, the proceeds of bonds sold under AS 18.56.790 as they are deposited into it by the
4 corporation for specific projects, and money or other assets transferred to the revolving fund by
5 the corporation. The corporation may pledge amounts deposited in the revolving fund for bonds
6 issued under AS 18.56.790 and used by the corporation for making, purchasing, or participating
7 in

8 (1) senior housing mortgage loans;

9 (2) loans made for building materials for senior housing;

10 (3) loans made for renovation or improvement of or for senior housing, including
11 loans for renovation or improvement of congregate or individual residences; and

12 (4) loans made for the construction of senior housing.

13 (b) For each loan proposed to be made under AS 18.56.700 - 18.56.799, the corporation
14 shall determine the financial feasibility of the project for which the loan would be used and the
15 extent to which the project would meet senior housing needs in the area for which it is proposed.

16 Sec. 18.56.720. INTEREST RATE. The interest rate on loans made under
17 AS 18.56.700 - 18.56.799 that are funded by a bond issue under AS 18.56.790 is equal to the
18 cost of funds of that bond issue plus

19 (1) two percentage points for a construction loan;

20 (2) one-half of one percentage point for a permanent loan.

21 Sec. 18.56.730. CONDITIONS ON LOANS. (a) The corporation shall adopt regulations
22 under AS 18.56.088(a) and (b) establishing acceptable security for loans originated or purchased
23 in whole or in part under AS 18.56.700 - 18.56.799.

24 (b) The corporation

25 (1) may condition a loan under AS 18.56.700 - 18.56.799 on an agreement by the
26 borrower to maintain the financed project as senior housing for a time period specified by the
27 corporation; and

28 (2) shall establish by regulation the criteria it will use for specifying time periods
29 under (1) of this subsection and for determining under what circumstances the time periods can
30 be decreased after the loan is made.

31 Sec. 18.56.740. FIRE INSURANCE. Before purchasing or participating in the purchase

1 of a senior housing mortgage loan, the corporation shall require the borrower to agree to purchase
2 and maintain fire insurance for the real property for which the loan is made in an amount not less
3 than the outstanding principal balance of the loan.

4 Sec. 18.56.750. LOAN ORIGINATION AND SERVICING. (a) Before purchasing or
5 participating in the purchase of a senior housing loan, the corporation shall enter into a loan
6 servicing agreement with the private financial institution from which the loan is to be purchased.

7 (b) The corporation may execute service agreements with private lending institutions or
8 with regional native housing authorities established under AS 18.55.996 to service loans
9 originated by the office.

10 (c) Under the servicing agreement, the private financial institution or the regional native
11 housing authority shall administer the loan and may charge the corporation a negotiated
12 origination or servicing fee on the office's share of the loan. When appropriate, the private
13 financial institution or the regional native housing authority may also charge the borrower a
14 reasonable origination fee not to exceed one percent.

15 Sec. 18.56.760. APPRAISALS. Before originating or purchasing or participating in the
16 purchase of a senior housing mortgage loan, the corporation may have or may require the
17 borrower to have an appraisal made of the fair market value of the real property, including
18 structures on the real property, for which the loan is made. In conducting an appraisal under this
19 section, the appraiser shall give full value to insulation and other features of construction in
20 structures on the real property that add to the energy efficiency of the structures.

21 Sec. 18.56.770. TOLL-FREE TELEPHONE NUMBER. The corporation shall arrange
22 for and maintain a toll-free telephone number for senior housing purposes so that private financial
23 institutions and their borrowers may contact the office from any location in the state by telephone
24 without a toll charge.

25 Sec. 18.56.780. CONTRACTING FOR SERVICES. The corporation may contract for
26 the services of persons who will assist the office in performing its duties under AS 18.56.700 -
27 18.56.799.

28 Sec. 18.56.790. BONDS FOR SENIOR HOUSING. (a) Under the procedures of this
29 chapter, the corporation may issue bonds in a total amount not exceeding \$30,000,000 to fund
30 senior housing loans made under AS 18.56.700 - 18.56.799 that are approved by the corporation
31 under (b) of this section.

1 (b) Before issuing its bonds under this section, the corporation shall compile a list of
2 approved senior housing projects that it has determined are financially feasible and meet housing
3 needs for senior citizens as required under AS 18.56.710(b).

4 (c) The proceeds of bonds issued under this section for approved projects shall be
5 deposited in the senior housing revolving fund administered by the senior housing office under
6 AS 18.56.700 - 18.56.799 on a schedule determined by the corporation.

7 (d) There is established in the corporation a senior housing bond account. The account
8 consists of proceeds of bonds issued under this section, money appropriated to the account,
9 repayments of principal the corporation collects for a loan made under AS 18.56.700 - 18.56.799
10 that was funded by bonds issued under this section, and the corporation's right, title, and interest
11 in property financed through a loan made under AS 18.56.700 - 18.56.799 that was funded by
12 bonds issued under this section. The corporation may pledge assets in the account and in the
13 senior housing revolving fund for the payment of bonds issued under this section and may use
14 money in the account for payment of the bonds.

15 (e) In this section, "bond" has the meaning given in AS 18.56.390.

16 Sec. 18.56.799. DEFINITIONS. In AS 18.56.700 - 18.56.799,

17 (1) "office" means the senior housing office established under AS 18.56.700;

18 (2) "senior housing"

19 (A) means construction or improvement undertaken primarily to provide
20 dwelling accommodations for persons 60 years of age or older, including conventional
21 housing, housing for frail elderly, group homes, congregate housing, residential horizontal
22 property regimes organized under AS 34.07, residential cooperatives organized under
23 AS 10.15 or AS 34.08, residential condominiums organized under AS 34.08, and other
24 housing that meets special needs of the elderly;

25 (B) includes acquisition, construction, or rehabilitation of land, buildings,
26 improvements, and other nonhousing facilities that are incidental or appurtenant to the
27 housing described in (A) of this paragraph.

28 ARTICLE 5. SENIOR CITIZENS HOUSING DEVELOPMENT FUND.

29 Sec. 18.56.800. DECLARATION OF PURPOSE. There exists in the state a serious
30 shortage of decent, safe and sanitary residential housing available at low or moderate prices or
31 rentals to persons 60 years of age or older. There also exists in the state organizations whose

1 purposes are to provide the kinds of housing needed to alleviate this shortage. Development
2 work to provide such housing involves substantial expense that is often beyond the resources of
3 the organizations.

4 Sec. 18.56.810. SENIOR CITIZENS HOUSING DEVELOPMENT. (a) There is created
5 in the corporation a senior citizens housing development fund. Subject to direct appropriation
6 or through proceeds of a bond issue, the corporation shall make grants to municipalities or public
7 or private nonprofit corporations designated as tax exempt under 26 U.S.C. 501(c)(3) and (4)
8 (Internal Revenue Code of 1954) for the purpose of developing senior citizen housing. A grant
9 from the proceeds of a bond issue may be made only to municipalities.

10 (b) Application for a grant under (a) of this section shall be in the form prescribed by
11 the corporation. The application

12 (1) shall demonstrate the need for senior citizen housing in the area to be served
13 and the feasibility of the proposed project; and

14 (2) must include an adequate management plan that shall demonstrate the ability
15 of the eligible recipient to sustain the proposed project.

16 (c) A senior citizen housing project developed under this section

17 (1) shall be prepared in accordance with facility procurement policies developed
18 by the Department of Transportation and Public Facilities under AS 35.10.160 - 35.10.200; and

19 (2) is a public facility under AS 35.10.160 - 35.10.200.

20 (d) The corporation shall adopt regulations to carry out the purposes of this section. The
21 provisions of AS 18.56.088(a) and (b) apply to regulations adopted under this section.

22 (e) In this section, "senior citizen housing" has the meaning given "senior housing" in
23 AS 18.56.799.

24 ARTICLE 6. ENERGY CONSERVATION.

25 Sec. 18.56.850. HOME ENERGY CONSERVATION AND WEATHERIZATION
26 PROGRAM. (a) The corporation shall plan, study, implement, and assist programs for home
27 energy conservation and weatherization including, without limitation, the

28 (1) Alaska craftsman home program;

29 (2) energy rated homes of Alaska program;

30 (3) home energy loan program;

31 (4) rural capital retrofit program; and

1 (5) low income weatherization program.

2 (b) In the development of a home energy conservation or weatherization program under
3 (a) of this section, the corporation may not consider the value of Alaska longevity bonus
4 payments under AS 47.45 or permanent fund dividends under AS 43.23 in determining whether
5 a person meets income guidelines established under AS 18.56.088 and (a) of this section for a
6 state or, to the extent permitted by federal law, a federal energy conservation or weatherization
7 program.

8 * **Sec. 101.** AS 18.56.900 is repealed and reenacted to read:

9 Sec. 18.56.900. DEFINITIONS. In this chapter,

10 (1) "board" means the board of directors of the corporation;

11 (2) "corporation" means the Alaska Housing Finance Corporation created by this
12 chapter.

13 * **Sec. 102.** AS 09.25.115(g) is amended to read:

14 (g) Each public agency shall establish the fees for the electronic services and products
15 provided under this section. The Telecommunications Information Council may cancel the fees
16 established by a public agency in the executive branch, except the fees of [INCLUDING THE
17 ALASKA STATE HOUSING AUTHORITY, BUT NOT INCLUDING] the University of Alaska
18 and the Alaska Railroad Corporation, if the council determines that the fees are unreasonably
19 high.

20 * **Sec. 103.** AS 09.25.123(a) is amended to read:

21 (a) The Telecommunications Information Council shall supervise and adopt regulations
22 for the operation and implementation of AS 09.25.110 - 09.25.140 by public agencies in the
23 executive branch, except [INCLUDING THE ALASKA STATE HOUSING AUTHORITY, BUT
24 NOT INCLUDING] the Alaska Railroad Corporation.

25 * **Sec. 104.** AS 09.25.220(5) is amended to read:

26 (5) "public agency" means a political subdivision, department, institution, board,
27 commission, division, authority, public corporation, council, committee, or other instrumentality
28 of the state or a municipality; "public agency" includes the University of Alaska [, THE
29 ALASKA STATE HOUSING AUTHORITY,] and the Alaska Railroad Corporation;

30 * **Sec. 105.** AS 09.38.015(c) is amended to read:

31 (c) Property of the state, a general law or home rule municipality, and of [THE

1 ALASKA STATE HOUSING AUTHORITY,] the Alaska Municipal Bond Bank Authority [,] or
2 another [OTHER] state public corporation is exempt.

3 * Sec. 106. AS 18.60.545(6) is amended to read:

4 (6) "state agency" or "agency of the state"

5 (A) means a state department or agency, whether in the legislative,
6 judicial, or executive branch;

7 (B) [, INCLUDING SUCH ENTITIES AS THE ALASKA STATE
8 HOUSING AUTHORITY; "STATE AGENCY" OR "AGENCY OF THE STATE"] does
9 not include the University of Alaska, a municipality, or an agency of a municipality.

10 * Sec. 107. AS 29.45.050(l) is amended to read:

11 (l) A municipality may by ordinance exempt from taxation an interest, other than record
12 ownership, in real property of an individual residing in the property if the property has been
13 developed, improved, or acquired with federal funds for low-income housing and is owned or
14 managed as low-income housing by the Alaska Housing Finance Corporation under
15 AS 18.55.100 - 1C.55.960 [ALASKA STATE HOUSING AUTHORITY] or by a regional
16 housing authority formed under AS 18.55.996. However, the corporation may make payments
17 to the municipality or political subdivision for improvements, services, and facilities
18 furnished by it for the benefit of a housing project, and this subsection [THIS SECTION]
19 does not prohibit a municipality from receiving those payments or any payments in lieu of taxes
20 authorized under federal law.

21 * Sec. 108. AS 34.60.135 is amended to read:

22 Sec. 34.60.135. PLANNING LOANS FOR ADDITIONAL HOUSING. In addition to
23 the other programs authorized by this chapter, the Alaska Housing Finance Corporation [A
24 STATE AGENCY] may make loans in order to encourage and facilitate the construction or
25 rehabilitation of housing to meet the needs of displaced persons. These loans are a part of the
26 federally assisted project cost and may be made to nonprofit, limited dividend, or cooperative
27 organizations, or to public bodies. The loans may be made only for necessary and reasonable
28 expenses, before construction, for planning and obtaining federally insured mortgage financing
29 for the rehabilitation or construction of housing for displaced persons. The loans may not exceed
30 80 percent of the reasonable costs expected to be incurred in planning, and in obtaining financing
31 for housing for displaced persons. Reasonable costs include but are not limited to costs for

1 preliminary surveys and analysis of market needs, preliminary architectural fee, site acquisition,
2 application and mortgage commitment fees, and construction loan fees and discounts. Loans to
3 an organization established for profit shall bear interest at a market rate established by the Alaska
4 Housing Finance Corporation [STATE AGENCY]. All other loans shall be without interest.
5 The Alaska Housing Finance Corporation [STATE AGENCY] shall require repayment of loans
6 made under this section [,] under terms and conditions that it may prescribe [ESTABLISHED
7 BY THE STATE AGENCY]. Repayment shall be made upon completion of the project or
8 sooner, and except in the case of a loan to an organization established for profit, the Alaska
9 Housing Finance Corporation [STATE AGENCY] may cancel any part or all of a loan if the
10 corporation determines [FOLLOWING A DETERMINATION BY THE STATE AGENCY] that
11 a permanent loan to finance the rehabilitation or construction of the housing cannot be obtained
12 in an amount adequate for repayment of the loan.

13 * **Sec. 109.** AS 34.60.137 is amended to read:

14 Sec. 34.60.137. HOUSING REPLACEMENT ASSISTANCE AS LAST RESORT. If a
15 federal aided program or project cannot proceed to actual construction because comparable
16 replacement sale or rental housing is not available, and the state agency determines that housing
17 cannot otherwise be made available, the agency may take, or may request the Alaska Housing
18 Finance Corporation to take, action necessary or appropriate to provide the housing either by
19 use of funds authorized for the project or by use of money available to the corporation.

20 * **Sec. 110.** AS 35.05.040 is amended to read:

21 Sec. 35.05.040. POWERS OF DEPARTMENT. The department may
22 (1) acquire property;
23 (2) exercise the power of eminent domain;
24 (3) take immediate possession of real property, or any interest in it under a
25 declaration of taking or by other lawful means;
26 (4) acquire rights-of-way for present or future use;
27 (5) dispose of excess property or property rights;
28 (6) accept and dispose of federal funds or property available for public works
29 construction, maintenance, or equipment;
30 (7) enter into contracts or agreements relating to public works with the federal
31 government and political subdivisions, and also enter into contracts with a foreign government

1 if approved by the federal government;

2 (8) exercise any other power necessary to carry out the purpose of this title;

3 (9) lease or grant land or any interest in land to the Alaska Housing Finance
4 Corporation for a purpose set out in AS 18.55.100 - 18.55.960 [ALASKA STATE HOUSING
5 AUTHORITY] on terms and conditions prescribed by the department;

6 (10) procure directly materials, labor and contractual services for planning,
7 designing and constructing public facilities of the state.

8 * Sec. 111. AS 36.30.015(f) is amended to read:

9 (f) The board of directors of the Alaska Housing Finance Corporation, notwithstanding
10 AS 18.56.088, [AND THE BOARD OF DIRECTORS OF THE ALASKA STATE HOUSING
11 AUTHORITY] shall adopt regulations under the Administrative Procedure Act (AS 44.62) to
12 govern the procurement of supplies, services, professional services, and construction for it [THE
13 RESPECTIVE PUBLIC CORPORATIONS]. The regulations must

14 (1) reflect competitive bidding principles and provide vendors reasonable and
15 equitable opportunities to participate in the procurement process; and

16 (2) include procurement methods to meet emergency and extraordinary
17 circumstances.

18 * Sec. 112. AS 36.30.050(c) is amended to read:

19 (c) The lists may be used by the chief procurement officer or an agency when issuing
20 invitations to bid or requests for proposals under this chapter. The lists may be used by the
21 legislative council, the court system, [THE ALASKA STATE HOUSING AUTHORITY,] and
22 the Alaska Railroad Corporation.

23 * Sec. 113. AS 36.30.735(b) is amended to read:

24 (b) In this section, "state agency"

25 (A) means a state department or agency, whether in the legislative,
26 judicial, or executive branch;

27 (B) does not include [, INCLUDING SUCH ENTITIES AS THE
28 ALASKA STATE HOUSING AUTHORITY, BUT NOT INCLUDING] the University
29 of Alaska, a municipality, or an agency of a municipality [OR THE ALASKA STATE
30 HOUSING AUTHORITY].

31 * Sec. 114. AS 36.30.990(1) is amended to read:

- 1 (1) "agency"
- 2 (A) means a department, institution, board, commission, division,
- 3 authority, public corporation, the Alaska Pioneers' Home, or other administrative unit of
- 4 the executive branch of state government;
- 5 (B) does not include
- 6 (i) the University of Alaska;
- 7 (ii) [THE ALASKA STATE HOUSING AUTHORITY;
- 8 (iii)] the Alaska Railroad Corporation;
- 9 (iii) [(iv)] the Alaska Housing Finance Corporation;
- 10 (iv) [(v)] a regional Native housing authority created under
- 11 AS 18.55.996, or a regional electrical authority created under AS 18.57.020;
- 12 (v) [(vi)] the Alaska Aerospace Development Corporation;

13 * Sec. 115. AS 37.05.146 is amended to read:

14 Sec. 37.05.146. DEFINITION OF PROGRAM RECEIPTS. In AS 37.05.142 - 37.05.146

15 and AS 37.07.080, "program receipts" means fees, charges, income earned on assets, and other

16 state money received by a state agency in connection with the performance of its functions; all

17 program receipts except the following are general fund program receipts:

- 18 (1) federal receipts;
- 19 (2) University of Alaska receipts (AS 14.40.491);
- 20 (3) individual, foundation, or corporation gifts, grants, or bequests that by their
- 21 terms are restricted to a specific purpose;
- 22 (4) receipts of the following funds:
- 23 (A) highway working capital fund (AS 44.68.210);
- 24 (B) correctional industries fund (AS 33.32.020);
- 25 (C) loan funds;
- 26 (D) international airports revenue fund (AS 37.15.430);
- 27 (E) funds managed by the Alaska Aerospace Development Corporation
- 28 (AS 14.40.821), [THE ALASKA STATE HOUSING AUTHORITY (AS 18.55.020),] the
- 29 Alaska Housing Finance Corporation (AS 18.56.020), the Alaska Railroad Corporation
- 30 (AS 42.40.010), the Municipal Bond Bank Authority (AS 44.85.020), or the Alaska
- 31 Industrial Development and Export Authority (AS 44.88.020);

- 1 (F) fish and game fund (AS 16.05.100);
2 (G) school fund (AS 43.50.140);
3 (H) training and building fund (AS 23.20.130);
4 (I) retirement funds (AS 14.25, AS 22.25, AS 26.05.222, AS 39.35, and
5 former AS 39.37);
6 (J) permanent fund (art. IX, sec. 15, Alaska Constitution);
7 (K) public school trust fund (AS 37.14.110);
8 (L) second injury fund (AS 23.30.040);
9 (M) fishermen's fund (AS 23.35.060);
10 (N) FICA administration fund (AS 39.30.050);
11 (O) mental health trust fund (AS 37.14.031).

12 * Sec. 116. AS 39.05.060(a) is amended to read:

13 (a) Each member of the following shall be a citizen of the United States:

- 14 (1) Local Boundary Commission;
15 (2) Alcoholic Beverage Control Board;
16 (3) Employment Security Advisory Council;
17 (4) [ALASKA STATE HOUSING AUTHORITY];
18 (5) Board of Fisheries;
19 (5) [(6) REPEALED,
20 (7) REPEALED,
21 (8) REPEALED,
22 (9)] the Governor's Commission on the Involvement of Young People in
23 Government;
24 (6) [(10)] Board of Game.

25 * Sec. 117. ~~AS 39.50.200(a)(4)~~ is amended to read:

- 26 (4) "instrumentality of the state" means a state department or agency, whether in
27 the legislative, judicial, or executive branch, including [SUCH ENTITIES AS] the University of
28 Alaska [AND THE ALASKA STATE HOUSING AUTHORITY];

29 * Sec. 118. AS 44.21.230(a)(9) is amended to read:

- 30 (9) give assistance, on request, to the senior housing office in the Alaska Housing
31 Finance Corporation [DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS] in

1 administration of the senior housing loan program under AS 18.56.710 - 18.56.799
2 [AS 44.47.587 - 44.47.609] and in the performance of the office's other duties under
3 AS 18.56.700 [AS 44.47.585]; and

4 * Sec. 119. AS 44.21.240(6) is amended to read:

5 (6) "senior citizen housing" has the meaning given "senior housing" in
6 AS 18.56.799 [AS 44.47.620(e)].

7 * Sec. 120. AS 44.47.370 is amended to read:

8 Sec. 44.47.370. POWERS OF COMMISSIONER. The commissioner may

9 (1) adopt regulations in accordance with the Administrative Procedure Act
10 (AS 44.62) to implement AS 44.47.370 - 44.47.560;

11 (2) make and execute agreements, contracts, and other instruments necessary or
12 convenient in the exercise of the commissioner's powers and functions under AS 44.47.370 -
13 44.47.560;

14 (3) purchase or participate in the purchase of small community
15 [NONCONFORMING AND RURAL] housing mortgage loans under [IN ACCORDANCE
16 WITH] AS 44.47.370 - 44.47.560;

17 (4) purchase or participate in the purchase of loans for building materials for
18 small community [NONCONFORMING AND RURAL] housing under [IN ACCORDANCE
19 WITH] AS 44.47.370 - 44.47.560;

20 (5) procure insurance against loss in connection with the director's functions
21 under AS 44.47.370 - 44.47.560;

22 (6) acquire real or personal property, or an interest in real or personal property,
23 by purchase, transfer, or foreclosure, when the acquisition is necessary or appropriate to protect
24 a loan in which the department has an interest; sell, transfer, and convey that property to a buyer;
25 and, if the sale, transfer, or conveyance cannot be effected with reasonable promptness or at a
26 reasonable price, rent or lease the property to a tenant pending the sale, transfer, or conveyance;

27 (7) do all acts necessary, convenient or desirable to carry out the powers expressly
28 granted or necessarily implied in AS 44.47.370 - 44.47.560;

29 (8) originate and service direct loans made to qualified buyers under [IN
30 ACCORDANCE WITH] AS 44.47.370 - 44.47.560.

31 * Sec. 121. AS 44.47.380(a) is amended to read:

1 (a) There is created in the department, as a revolving loan fund, the housing assistance
 2 loan fund consisting of money appropriated to it by the legislature and repayments of principal
 3 and interest on loans made or purchased from the assets of the fund. The commissioner shall
 4 administer the housing assistance loan fund under [IN ACCORDANCE WITH] AS 44.47.370 -
 5 44.47.560 and shall use the money in the housing assistance loan fund to originate, purchase, or
 6 participate in the purchase of

7 (1) small community [NONCONFORMING AND RURAL] housing mortgage
 8 loans;

9 (2) loans made for building materials for small community [NONCONFORMING
 10 AND RURAL] housing;

11 (3) loans made for renovations or improvements to small community
 12 [NONCONFORMING AND RURAL] housing;

13 (4) loans made for the construction of owner-occupied small community
 14 [NONCONFORMING AND RURAL] housing other than loans to builders or contractors or loans
 15 that compensate an owner for the owner's labor or services in constructing the owner's own
 16 housing.

17 * Sec. 122. AS 44.47.390 is amended to read:

18 Sec. 44.47.390. LIMITATIONS ON USE OF HOUSING ASSISTANCE LOAN FUND.

19 The commissioner may not use the money in the housing assistance loan fund to

20 (1) originate a direct loan or purchase or participate in the purchase of a small
 21 community [NONCONFORMING OR RURAL] housing mortgage loan that exceeds the
 22 limitations on mortgage loans purchased by the Federal National Mortgage Association as to
 23 principal amount or loan-to-value ratio;

24 (2) originate a direct loan or purchase or participate in the purchase of a loan
 25 made for building materials for small community [NONCONFORMING OR RURAL] housing

26 (A) that exceeds \$45,000 or exceeds

27 (i) 80 percent of the appraised value of the work completed on the
 28 small community [NONCONFORMING OR RURAL] housing for which the loan
 29 is made if the small community [NONCONFORMING OR RURAL] housing is
 30 pledged as collateral for the loan; or

31 (ii) 90 percent of the value of other property that is pledged as

1 security for the loan and that is satisfactory to the commissioner as collateral;

2 (B) unless the terms of the loan agreement require inspections and
3 certifications, as required by regulations of the commissioner, at the expense of the
4 borrower; and

5 (C) unless the period of time allowed for repayment of the loan is equal
6 to or less than 15 years;

7 (3) originate direct loans or purchase or participate in the purchase of a small
8 community [NONCONFORMING OR RURAL] housing mortgage loan that is secured by real
9 property the marketable title to which is shown under [IN ACCORDANCE WITH] AS
10 44.47.420(b)(2) if the total amount of outstanding small community [NONCONFORMING AND
11 RURAL] housing mortgage loans held by the department exceeds 10 times the amount of money
12 in the restricted title loss reserve account (AS 44.47.430);

13 (4) originate a direct loan for small community [NONCONFORMING OR
14 RURAL] housing or purchase or participate in the purchase of a small community
15 [NONCONFORMING OR RURAL] housing mortgage loan, other than a loan for the repair,
16 remodeling, rehabilitation, or expansion of an existing owner-occupied residence, if the borrower
17 has an outstanding housing loan made under a state loan program, other than a loan for
18 nonowner-occupied housing under former AS 44.47.520, that bears interest at a rate that was less
19 than the prevailing market interest rate for similar housing loans at the time the loan was made;

20 (5) originate a direct mortgage loan or purchase or participate in the purchase of
21 a mortgage loan for rental housing unless the borrower agrees not to discriminate against tenants
22 or prospective tenants because of sex, marital status, changes in marital status, pregnancy,
23 parenthood, race, religion, color, national origin, or status as a student;

24 (6) originate, purchase, or participate in a loan to a person who has a past due
25 child support obligation established by court order or by the child support enforcement division
26 under AS 25.27.160 - 25.27.220 at the time of application.

27 * Sec. 123. AS 44.47.410(b) is amended to read:

28 (b) The interest rate on a mortgage loan originated or purchased in whole or in part under
29 AS 44.47.380 for small community [RURAL] housing is one percent less than the interest rate,
30 as determined under AS 18.56.098(g)(1) - (4), on a mortgage loan purchased under
31 AS 18.56.098(a) from the proceeds of the most recent applicable issue of taxable bonds before

1 the origination or purchase of the mortgage loan originated or purchased under AS 44.47.380.

2 * Sec. 124. AS 44.47.420(a) is amended to read:

3 (a) Before the commissioner originates or purchases a small community
4 [NONCONFORMING OR RURAL] housing mortgage loan in whole or in part, the commissioner
5 may require a borrower to show marketable title to real property offered as security for the loan
6 to be purchased.

7 * Sec. 125. AS 44.47.430(b) is amended to read:

8 (b) The commissioner may withdraw money from the restricted title loss reserve account
9 in an amount equal to the loss to the department on a small community [NONCONFORMING
10 OR RURAL] housing mortgage loan originated or purchased in whole or in part by the
11 department if marketable title to the real property used to secure the loan was shown under [IN
12 ACCORDANCE WITH] AS 44.47.420(b)(2). Money withdrawn from the restricted title loss
13 reserve account under this section shall be deposited in the housing assistance loan fund.

14 * Sec. 126. AS 44.47.440 is amended to read:

15 Sec. 44.47.440. FIRE INSURANCE. Before purchasing or participating in the purchase
16 of a small community [NONCONFORMING OR RURAL] housing mortgage loan, the
17 commissioner may require the borrower to agree to purchase and maintain fire insurance for the
18 real property for which the loan is made in an amount not less than the outstanding principal
19 balance of the loan.

20 * Sec. 127. AS 44.47.470 is amended to read:

21 Sec. 44.47.470. APPRAISALS. Before originating or purchasing or participating in the
22 purchase of a small community [NONCONFORMING OR RURAL] housing mortgage loan, the
23 commissioner may have or may require the borrower to have an appraisal made of the fair
24 market value of the real property, including structures on the real property, for which the loan
25 is made. ~~In~~ conducting an appraisal under this section, the appraiser shall give full value to
26 insulation and other features of construction in structures on the real property that add to the
27 energy efficiency of the structures.

28 * Sec. 128. AS 44.47.490(a) is amended to read:

29 (a) The commissioner may establish field offices under this chapter, may hire one or
30 more lending officers, and, under AS 36.30 (State Procurement Code), may contract for the
31 services of

1 (1) real property appraisers who are familiar with housing and [RURAL]
2 construction in small communities; and

3 (2) engineers who are familiar with engineering problems in arctic and subarctic
4 regions.

5 * **Sec. 129.** AS 44.47.520(a) is amended to read:

6 (a) In addition to the powers authorized by AS 44.47.370 the commissioner may adopt
7 regulations allowing the use of money in the housing assistance loan fund to make loans for the
8 purchase or development of nonowner occupied housing in small communities [RURAL AREAS
9 OF THE STATE].

10 * **Sec. 130.** AS 44.47.520(c) is amended to read:

11 (c) The principal amount of loans made for nonowner occupied housing under this
12 section may not exceed 20 percent of the total principal amount of loans made for small
13 community [NONCONFORMING AND RURAL] housing under AS 44.47.370 - 44.47.560.

14 * **Sec. 131.** AS 44.47.520(d) is amended to read:

15 (d) In this section,
16 (1) "development" means the construction of a new residence or the repair,
17 remodeling, rehabilitation, or expansion of an existing residence;
18 (2) "nonowner occupied housing" means a single-family residence or a
19 multi-family residence having up to eight dwelling units [, THAT IS NOT NONCONFORMING
20 HOUSING,] and is not occupied by the owner; the commissioner may modify this definition if
21 the commissioner determines that there is a special need for nonowner occupied housing and that
22 a change in the definition is necessary to enable the department to meet that need.

23 * **Sec. 132.** AS 44.47.560 is amended to read:

24 Sec. 44.47.560. DEFINITIONS. In AS 44.47.370 - 44.47.560,

25 (1) [REPEALED

26 (2) REPEALED

27 (3)} "housing" means owner-occupied, single-family housing and owner-occupied
28 duplexes in which not more than 25 percent of the gross floor area is or will be devoted to
29 commercial use;

30 (2) "small community" [(4) "NONCONFORMING HOUSING" MEANS
31 HOUSING THAT DOES NOT CONFORM TO MINIMUM BUILDING STANDARDS UNDER

1 ANY STATE OR FEDERAL PROGRAM THAT PROVIDES LOANS FOR HOUSING
2 PURCHASES;

3 (5) "RURAL" means

4 [(A) a community [IN THE SECOND, THIRD, OR FOURTH JUDICIAL
5 DISTRICT OF THE STATE] with a population of 5,500 [4,500] or less that is not
6 connected by road or rail to Anchorage or Fairbanks [;] or with a population of
7 1,400 or less that is connected by road or rail to Anchorage or Fairbanks; in
8 this paragraph "connected by road" does not include a connection by the
9 Alaska marine highway system

10 [(B) A COMMUNITY IN THE FIRST JUDICIAL DISTRICT OF THE
11 STATE WITH A POPULATION OF 4,500 OR LESS;

12 (6) "RURAL HOUSING" MEANS HOUSING WHETHER OR NOT IT IS
13 NONCONFORMING HOUSING THAT IS LOCATED IN A RURAL AREA OF THE STATE].

14 * Sec. 133. AS 44.99.020 is amended to read:

15 Sec. 44.99.020. USE OF PAPER. A state agency shall use both sides of paper when
16 feasible. In this section, "state agency" means a department, institution, board, commission,
17 division, authority, public corporation, or other administrative unit of the executive, legislative,
18 or judicial branch of state government, including the University of Alaska, [THE ALASKA
19 STATE HOUSING AUTHORITY,] the Alaska Railroad Corporation, and legislative committees.

20 * Sec. 134. AS 44.99.350(3) is amended to read:

21 (3) "state agency"

22 (A) means a department, institution, board, commission, division,
23 authority, public corporation, committee, or other administrative unit of the executive,
24 judicial, or legislative branch of state government, including the University of Alaska;

25 (B) does not include [AND THE ALASKA STATE HOUSING
26 AUTHORITY, BUT NOT INCLUDING] the Alaska Railroad Corporation.

27 * Sec. 135. AS 44.99.400 is amended to read:

28 Sec. 44.99.400. COPYRIGHTS. A state agency may hold the copyright for software
29 created by the agency or developed by a private contractor for an agency, and may enforce its
30 rights to protect the copyright. In this section, "state agency" means a department, institution,
31 board, commission, division, authority, public corporation, committee, or other administrative unit

1 of the executive, judicial, or legislative branch of state government, including the University of
2 Alaska, [THE ALASKA STATE HOUSING AUTHORITY,] the Alaska Aerospace Development
3 Corporation, and the Alaska Railroad Corporation.

4 * Sec. 136. AS 46.07.030(b) is amended to read:

5 (b) The location of a facility constructed under this chapter shall be determined by the
6 commissioner after consultation with the governing body of the village in which the facility is
7 located, as well as with appropriate public agencies [, INCLUDING BUT NOT LIMITED TO
8 THE ALASKA STATE HOUSING AUTHORITY]. The aim of the consultation is to achieve
9 maximum coordination in public development plans and activities affecting the community in
10 which the facility is to serve.

11 * Sec. 137. AS 46.11.040 is amended to read:

12 Sec. 46.11.040. APPLICABILITY OF THERMAL AND LIGHTING ENERGY
13 STANDARDS TO RESIDENTIAL BUILDINGS. State financial assistance may not be approved
14 or granted for the construction of or purchase of a loan for a residential building if construction
15 of the building began [BEGINS] after December 31, 1991, unless

16 (1) the building is in compliance with thermal and lighting energy standards;

17 (2) the building is in compliance with the building code of a municipality and the
18 standards for thermal and lighting energy of the municipal building code meet or exceed the
19 thermal and lighting energy standards;

20 (3) the building

21 (A) is constructed under an exception to the municipal building code
22 granted because the exception will result in increased energy efficiency; or

23 (B) is located or is to be located in an area where thermal and lighting
24 energy standards are not justified because of the high cost of implementation of the
25 standards, with specific consideration given to the availability of inexpensive home
26 heating energy sources, as determined under regulations adopted by the Alaska Housing
27 Finance Corporation [COMMISSIONER OF COMMUNITY AND REGIONAL
28 AFFAIRS]; or

29 (4) the applicant agrees, in writing, that the building will be brought into
30 compliance with thermal and lighting energy standards within one year of conveyance.

31 * Sec. 138. AS 46.11.900(8) is amended to read:

1 (8) "thermal and lighting energy standards" means the thermal and lighting energy
2 standards

3 (A) established by the American Society of Heating, Refrigeration, and
4 Air Conditioning Engineers as revised

5 (i) by the commissioner of transportation and public facilities under
6 AS 44.42.020(a) for public facilities; or

7 (ii) by the Alaska Housing Finance Corporation
8 [COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS] for
9 buildings and structures that are not public facilities; or

10 (B) developed in regulations adopted

11 (i) by the commissioner of transportation and public facilities under
12 AS 44.42.020(a) for public facilities; or

13 (ii) by the Alaska Housing Finance Corporation
14 [COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS] for
15 buildings and structures that are not public facilities.

16 * Sec. 139. AS 44.47.410(a) is repealed.

17 * Sec. 140. AS 18.55.020, 18.55.030, 18.55.050, 18.55.070, 18.55.430, 18.55.640, 18.55.950(2),
18 AS 18.56.083, AS 39.50.200(b)(12), AS 44.47.050(a)(18), 44.47.050(b), 44.47.370, 44.47.378, 44.47.380,
19 44.47.382, 44.47.390, 44.47.395, 44.47.400, 44.47.410(b), 44.47.420, 44.47.430, 44.47.440, 44.47.460,
20 44.47.470, 44.47.475, 44.47.480, 44.47.490, 44.47.500, 44.47.510, 44.47.520, 44.47.530, 44.47.560,
21 44.47.585, 44.47.587, 44.47.589, 44.47.591, 44.47.593, 44.47.595, 44.47.597, 44.47.599, 44.47.601,
22 44.47.603, 44.47.609, 44.47.610, 44.47.620, 44.47.630, 44.47.635, and AS 44.99.200(b)(5) are repealed.

23 * Sec. 141. TRANSITIONAL PROVISIONS RELATING TO MERGER OF ALASKA STATE
24 HOUSING AUTHORITY. (a) All contracts, rights, liabilities, bonds, notes, or other obligations of the
25 Alaska State Housing Authority created by or under a law amended or repealed by this Act and in effect
26 on the effective date of this section, remain in effect notwithstanding this Act's taking effect, with all
27 contracts, rights, liabilities, bonds, notes, or other obligations of the Alaska State Housing Authority
28 becoming contracts, rights, liabilities, bonds, notes, and other obligations of the Alaska Housing Finance
29 Corporation with the same limitations and provisions as under a contract, right, liability, bond, note, or
30 other obligation of the former Alaska State Housing Authority.

31 (b) All records, equipment, appropriations, and other property of the Alaska State Housing

1 of this Act.

2 (c) Employees of the Alaska State Housing Authority become employees of the Alaska Housing
3 Finance Corporation on the effective date of this section.

4 * **Sec. 142. TRANSITIONAL PROVISIONS RELATING TO TRANSFER OF HOUSING**
5 **PROGRAMS FROM THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS.** (a) All
6 contracts, rights, liabilities, bonds, notes, or other obligations of the Department of Community and
7 Regional Affairs under former AS 44.47.370 - 44.47.560 and 44.47.635 created by or under a law
8 amended or repealed by this Act and in effect on the effective date of this section, remain in effect
9 notwithstanding this Act's taking effect, with all contracts, rights, liabilities, bonds, notes, or other
10 obligations of the Department of Community and Regional Affairs incurred under former AS 44.47.370 -
11 44.47.560 and 44.47.635 becoming contracts, rights, liabilities, bonds, notes, and other obligations of the
12 Alaska Housing Finance Corporation.

13 (b) All records, equipment, appropriations, and other property of the Department of Community
14 and Regional Affairs held under former AS 44.47.370 - 44.47.560 and 44.47.635 shall be transferred to
15 the Alaska Housing Finance Corporation to implement the provisions of this Act.

16 (c) Employees of the Department of Community and Regional Affairs responsible for
17 administration of the programs set out in former AS 44.47.370 - 44.47.560 and 44.47.635 become
18 employees of the Alaska Housing Finance Corporation on the effective date of this section.

19 (d) Notwithstanding sec. 147(b) of this Act, on the effective date of this section, the cash balance
20 of the housing assistance loan fund of former AS 44.47.380, exclusive of the loan purchases made under
21 sec. 147(a) of this Act, becomes the cash balance of the housing assistance loan fund established in
22 AS 18.56.420, added by sec. 100 of this Act.

23 * **Sec. 143. TRANSITIONAL PROVISIONS RELATING TO TRANSFER OF SENIOR CITIZEN**
24 **HOUSING PROGRAMS FROM THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS.**

25 (a) All contracts, rights, liabilities, bonds, notes, or other obligations of the Department of Community
26 and Regional Affairs under former AS 44.47.585 - 44.47.620 created by or under a law amended or
27 repealed by this Act and in effect on the effective date of this section, remain in effect notwithstanding
28 this Act's taking effect, with all contracts, rights, liabilities, bonds, notes, or other obligations of the
29 Department of Community and Regional Affairs incurred under former AS 44.47.585 - 44.47.620
30 becoming contracts, rights, liabilities, bonds, notes, and other obligations of the Alaska Housing Finance
31 Corporation.

1 Corporation.

2 (b) All records, equipment, appropriations, and other property of the Department of Community
3 and Regional Affairs secured under former AS 44.47.585 - 44.47.620 shall be transferred to the Alaska
4 Housing Finance Corporation to implement the provisions of this Act.

5 (c) Employees of the Department of Community and Regional Affairs responsible for
6 administration of the programs set out in former AS 44.47.585 - 44.47.620 become employees of the
7 Alaska Housing Finance Corporation on the effective date of this section.

8 (d) All bonds issued under former AS 18.56.083 and in effect on the effective date of this
9 section remain in effect notwithstanding this Act's taking effect.

10 * **Sec. 144. TRANSITIONAL PROVISIONS RELATING TO TRANSFER OF HOME ENERGY**
11 **CONSERVATION AND WEATHERIZATION PROGRAMS FROM THE DEPARTMENT OF**
12 **COMMUNITY AND REGIONAL AFFAIRS.** (a) All contracts, rights, liabilities, bonds, notes, or other
13 obligations of the Department of Community and Regional Affairs under AS 44.47.050(a)(18) and
14 44.47.050(b) created by or under a law repealed by secs. 139 and 140 of this Act and in effect on the
15 effective date of this section, remain in effect notwithstanding this Act's taking effect, with all contracts,
16 rights, liabilities, bonds, notes, or other obligations of the Department of Community and Regional
17 Affairs incurred under AS 44.47.050(a)(18) and 44.47.050(b) becoming contracts, rights, liabilities,
18 bonds, notes, and other obligations of the Alaska Housing Finance Corporation.

19 (b) All records, equipment, appropriations, and other property of the Department of Community
20 and Regional Affairs secured under AS 44.47.050(a)(18) and 44.47.050(b) shall be transferred to the
21 Alaska Housing Finance Corporation to implement the provisions of AS 18.56.850, added by sec. 100
22 of this Act, and sec. 140 of this Act.

23 (c) Employees of the Department of Community and Regional Affairs responsible for
24 administration of the home energy conservation and weatherization programs set out in
25 AS 44.47.050(a)~~(18)~~ and 44.47.050(b), repealed by sec. 140 of this Act, become employees of the Alaska
26 Housing Finance Corporation on the effective date of this section.

27 * **Sec. 145. TRANSITIONAL PROVISION: MEMBERSHIP OF ALASKA HOUSING FINANCE**
28 **CORPORATION BOARD OF DIRECTORS.** Notwithstanding AS 18.56.030(a)(4)(A) - (D), repealed
29 and reenacted by sec. 82 of this Act, the public members of the board of directors of the Alaska Housing
30 Finance Corporation who are serving on the effective date of this section continue to serve their
31 unexpired terms. Thereafter, the governor shall fill vacancies on the board of directors among the

1 this Act, and AS 18.56.030(f), added by sec. 86 of this Act.

2 * **Sec. 146.** TRANSITIONAL PROVISION: REPORT OF TRANSFERRED ASSETS. Each of the
3 following shall prepare or direct the preparation of all necessary financial reports of the assets to be
4 transferred by them under this Act as of the close of business on the day before the effective date of the
5 transfer:

6 (1) Department of Community and Regional Affairs;

7 (2) Alaska State Housing Authority.

8 * **Sec. 147.** ALASKA HOUSING FINANCE CORPORATION MAY PURCHASE HOUSING
9 LOANS OF DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS. (a) Notwithstanding
10 AS 18.56.210(a)(10) and any other provision of law, the Alaska Housing Finance Corporation may
11 purchase, at an appropriate discount mutually satisfactory to the board of directors of the Alaska Housing
12 Finance Corporation and the commissioner of community and regional affairs, the mortgage loans and
13 other housing-related loans that are held on the effective date of this section by the Department of
14 Community and Regional Affairs for the loans it has made under the department's various housing
15 assistance programs set out in AS 44.47.370 - 44.47.560 and 44.47.585 - 44.47.635. In determining an
16 appropriate discount applicable to the purchase price of the loans, the corporation and the commissioner
17 shall take into consideration the cash balance in the housing assistance loan fund on the day before the
18 effective date of this section and the corporation's retention of sufficient unreserved assets of the
19 corporation to capitalize the housing assistance loan fund as reconstituted in AS 18.56.420, added by
20 sec. 100 of this Act.

21 (b) The commissioner of community and regional affairs shall deposit the full amount received
22 from the purchase made under (a) of this section in the state general fund.

23 * **Sec. 148.** REVISOR OF STATUTES TO REVISE REFERENCES. In each of the following, the
24 revisor of statutes shall delete references to "authority" and insert in place of each deletion a reference
25 to "corporation": AS 18.55.320(a), 18.55.410, 18.55.470(2) and (3), 18.55.510(c), 18.55.530(b), (c), (f),
26 and (h), 18.55.540(c), and (d), 18.55.570(c), (d), and (f), 18.55.610, 18.55.630(b), 18.55.650; 18.55.720,
27 18.55.770, 18.55.790, 18.55.800, 18.55.810, 18.55.830, 18.55.840, 18.55.850, 18.55.870, 18.55.880,
28 18.55.890, 18.55.900, 18.55.932(a), (b), (c), (e), and (f), 18.55.934(a), and 18.55.950(4), (10), and (14).

29 * **Sec. 149.** VALIDATION OF CERTAIN LOANS OF THE DEPARTMENT OF COMMUNITY
30 AND REGIONAL AFFAIRS. (a) Sections 120 - 132 and 139 of this Act are retroactive to January 1,
31 1992, and apply to all loans and loan commitments for small community housing loans made after

1 1992, and apply to all loans and loan commitments for small community housing loans made after
2 December 31, 1991.

3 (b) Notwithstanding (a) of this section, nonconforming housing loans made by the Department
4 of Community and Regional Affairs under AS 44.47.370 - 44.47.560 after December 31, 1991, and
5 before the effective date of this section are valid.

6 * **Sec. 150.** Sections 120 - 132, 139, 146, 147, and 149 of this Act take effect immediately under
7 AS 01.10.070(c).

8 * **Sec. 151.** Section 90 of this Act takes effect July 1, 1994.

9 * **Sec. 152.** Except as provided in secs. 150 and 151 of this Act, this Act takes effect July 1, 1992.

SB480

E: 5/14/92

FURTHER:

JFK

DATE TURNED INTO OFFICE: 5-14-92

The Finance Committee considered SENATE BILL NO. 480

"An Act relating to public financial administration, state contracting and procurements, the charging of fees for state services, regulatory activities, and resources; and authorizing the sale of water by the state; a.d providing for an effective date."

and recommends:

replace with CS SB 480 (FINANCE)

or adopt previous CS _____

attaches amendment(s) + fh as filed

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes DUR & SFC

fiscal notes _____

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

DO PASS:

[Signature]
[Signature]

OTHER RECOMMENDATIONS:

[Signature] No Rec
[Signature] No Rec
[Signature] (NO REC)

1. [Signature]
Co-Chair: Signature/Recommendation

2. [Signature] No Rec
Co-Chair: Signature/Recommendation

REPORTED OUT OF FISCAL NOTE
SFC 5-14-92

REQUEST:

Revision Date: _____ Affected Agency: Natural Resources
Title: Fees for state services BRU: Parks & Rec. Mgmt.

Sponsor: Senate Finance Components: Parks Mgmt.
Requestor: Senate Finance 452

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUNDING: (THOUSANDS OF DOLLARS)

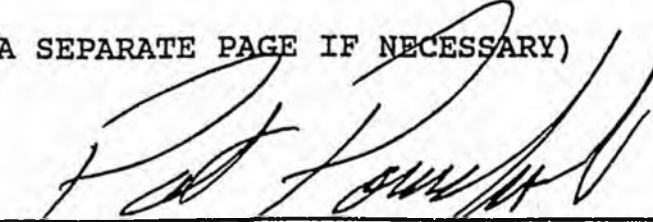
General Fund						
Federal Fund						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Prepared By:



Senator Pat Pourchot, Co-chairman
Senate Finance Committee

Date: 5-14-92
Phone: 465-3879

DISTRIBUTION (BY PREPARER)
LEGISLATIVE FINANCE
LEGISLATIVE SPONSOR

REQUESTOR
OFFICE OF MANAGEMENT AND BUDGET
AGENCY (IES)

CS FOR SENATE BILL NO. 480 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SPECIAL SESSION

BY THE SENATE FINANCE COMMITTEE

Introduced:

Referred:

Sponsor(s): SENATE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to public financial administration, including allocation and use of funds,
2 including the Alaska science and technology endowment and the employment assistance and
3 training account; relating to state contracting and procurements, including contracts and
4 agreements of the Department of Corrections; relating to the charging of fees for state
5 services, activities, and regulatory activities, including fees related to occupational licensing,
6 fish and game, state parks, public utilities, pipeline carriers, and the office of public
7 advocacy; and providing for an effective date."

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

9 * Section 1. AS 08.01.065(c) is repealed and reenacted to read:

10 (c) The department shall establish fee levels under (a) of this section so that the total
11 amount of fees collected for an occupation approximately equals the actual regulatory costs for
12 the occupation. The department shall annually review each fee level to determine whether the
13 regulatory costs of each occupation are approximately equal to fee collections related to that

1 occupation. If the review indicates that an occupation's fee collections and regulatory costs are
2 not approximately equal, the department shall calculate fee adjustments and adopt regulations
3 under (a) of this section to implement the adjustments. In January of each year, the department
4 shall report on all fee levels and revisions for the previous year under this subsection to the office
5 of management and budget. If a board regulates an occupation covered by this chapter, the
6 department shall consider the board's recommendations concerning the occupation's fee levels
7 and regulatory costs before revising fee schedules to comply with this subsection. In this
8 subsection, "regulatory costs" means costs of the department that are attributable to regulation
9 of an occupation plus

10 (1) all expenses of the board that regulates the occupation if the board regulates
11 only one occupation;

12 (2) the expenses of a board that are attributable to the occupation if the board
13 regulates more than one occupation.

14 * Sec. 2. AS 16.05.340(a) is amended to read:

15 (a) Fees for licenses and tags are as follows:

16 (1) Resident sport fishing license \$ 15 [10]

17 However, the fee is 25 cents for a resident who is blind.

18 (2) Resident hunting license 25 [12]

19 (3) Resident hunting and trapping license 40 [22]

20 (4) Resident trapping license 15 [10]

21 (5) Resident hunting and sport fishing license 40 [22]

22 (6) Resident hunting, trapping, and sport fishing license 55 [32];

23 (A) however, the fee is \$5 for an applicant who

24 (i) is receiving or has received assistance during the preceding six
25 months under any state or federal welfare program to aid the indigent, or

26 (ii) has an annual family gross income of less than \$8,200 for the
27 year preceding application;

28 (B) a person paying \$5 for a resident hunting, trapping, and sport fishing
29 license must provide proof of eligibility under this paragraph when requested by the
30 departments.

31 (7) Nonresident special sport fishing license - valid for the period inscribed on

1 the license

2 (A) For 14-day license \$ 30

3 (B) For three-day license 15

4 (C) For one-day license 10

5 (8) Nonresident sport fishing license 50

6 (9) Nonresident hunting license 85

7 (10) Nonresident hunting and sport fishing license 135

8 A nonresident may not take a big game animal without previously purchasing a numbered,
9 nontransferable, appropriate tag, issued under (15) of this subsection. The tag must be affixed
10 to the animal immediately upon capture and must remain affixed until the animal is prepared for
11 storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy
12 the tagging requirement for an animal of any other species for which the tag fee is of equal or
13 less value.

14 (11) Nonresident hunting and trapping license \$250

15 (12) Fur dealers

16 (A) Resident fur dealer biennial license 150

17 (B) Nonresident fur dealer biennial license 500

18 (13) Taxidermists

19 (A) Resident taxidermy biennial license 200

20 (B) Nonresident taxidermy biennial license 500

21 (14) Aquatic farming triennial license 400

22 (15) Nonresident big game tags

23 (A) Bear, black, each 225

24 (B) Bear, brown or grizzly, each 500

25 (C) Bison, each 450

26 (D) Caribou, each 325

27 (E) Deer, each 150

28 (F) Elk, each 300

29 (G) Goat, each 300

30 (H) Moose, each 400

31 (I) Sheep, each 425

1 (J) Wolf, each 175
 2 (K) Wolverine, each 175
 3 (L) Musk oxen, each 1,100

4 (16) Resident big game tags

5 (A) Bear, brown or grizzly, each \$25

6 The Board of Game may, by regulation effective for not more than one year, eliminate the
 7 resident brown or grizzly bear tag and fee for all or a portion of a game management unit.

8 (B) Musk oxen, each 500

9 However, the Board of Game may by regulation reduce or eliminate the fee for a resident big
 10 game tag for musk oxen for an open season.

11 (17) Waterfowl conservation tag 5

12 (A) A person may not engage in waterfowl hunting without having the
 13 current year's waterfowl tag in the person's actual possession, unless that person

- 14 (i) qualifies for a \$5 license fee under (6) of this subsection;
- 15 (ii) is a resident under the age of 16;
- 16 (iii) is 60 years of age or older and is a resident;
- 17 (iv) is a disabled veteran eligible for a free license under

18 AS 16.05.341.

19 (B) The Board of Game shall by regulation exempt the requirement of a
 20 waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit
 21 from programs described in AS 16.05.130(b)(2) - (4).

22 (18) Game farming

23 (A) Game mammal or game reptile farming biennial license ... \$250

24 (B) Game bird farming biennial license 50

25 (19) Nonresident small game hunting license 20

26 (20) Nonresident alien hunting license 300

27 A nonresident alien may not take a big game animal without previously purchasing a numbered,
 28 nontransferable, appropriate tag, issued under (21) of this subsection. The tag must be affixed
 29 to the animal immediately upon capture and must remain affixed until the animal is prepared for
 30 storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy
 31 the tagging requirement for an animal of any other species for which the tag fee is of equal or

1 less value.

2 (21) Nonresident alien big game tags

- 3 (A) Bear, black, each \$300
4 (B) Bear, brown or grizzly, each 650
5 (C) Bison, each 650
6 (D) Caribou, each 425
7 (E) Deer, each 200
8 (F) Elk, each 400
9 (G) Goat, each 400
10 (H) Moose, each 500
11 (I) Musk oxen, each 1,500
12 (J) Sheep, each 550
13 (K) Wolf, each 250
14 (L) Wolverine, each 250

15 (22) Chitina personal use salmon dip net fishing permit 10

16 (23) Resident king salmon tag 10

17 A resident may not engage in sport fishing for king salmon without having the current
18 year's king salmon tag in the resident's actual possession, unless that person

19 (A) qualifies for a 25 cent license fee under (1) of this subsection;

20 (B) is under the age of 16;

21 (C) is 60 years of age or older and has been a resident of the state for

22 at least one year;

23 (D) is a disabled veteran eligible for a free license under AS 16.05.341;

24 or

25 (E) qualifies for a \$5 license fee under (6) of this subsection.

26 (24) Nonresident king salmon tag \$20

27 A nonresident may not engage in sport fishing for king salmon without having the current
28 year's king salmon tag in the person's actual possession.

29 * Sec. 3. AS 18.31.200 is amended by adding a new subsection to read:

30 (g) The Department of Labor shall adopt by regulation a fee schedule for

31 (1) review, approval, and certification of asbestos training certification programs

1 and plans under this section; and

2 (2) certification of a person employed to abate an asbestos health hazard.

3 * Sec. 4. AS 33.30.031(a) is amended to read:

4 (a) The commissioner shall determine the availability of state correctional facilities
5 suitable for the detention and confinement of persons held under authority of state law or under
6 agreement entered into under (e) of this section. If the commissioner determines that suitable
7 state correctional facilities are not available, the commissioner may enter into an agreement with
8 a public or private agency to provide necessary facilities. Correctional facilities provided through
9 agreement with a public agency for the detention and confinement of persons held under
10 authority of state law may be in this state or in another state. Correctional facilities provided
11 through agreement with a private agency must be located in this state unless the commissioner
12 finds in writing that (1) there is no other reasonable alternative for detention in the state;
13 and (2) the agreement is necessary because of health or security considerations involving
14 a particular prisoner or class of prisoners, or because an emergency of prisoner
15 overcrowding is eminent. The commissioner may not enter into an agreement with an agency
16 unable to provide a degree of custody, care, and discipline similar to that required by the laws
17 of this state.

18 * Sec. 5. AS 33.30.231 is amended by adding a new subsection to read:

19 (d) Notwithstanding (a) of this section, the department may contract under AS 36.30 for
20 telephone services for use by a prisoner.

21 * Sec. 6. AS 36.30.100(b) is amended to read:

22 (b) Competitive sealed bidding is not required

23 (1) when the commissioner determines in writing that food, clothing, or medical
24 supplies, or supplies [MATERIALS] for use in laboratory or medical studies may be purchased
25 otherwise to the best advantage of the state;

26 (2) [WHEN RATES ARE FIXED BY LAW OR ORDINANCE;

27 (3)] for the purchase of products or services manufactured or provided by an
28 employment program; or

29 (3) [(4)] for the purchase of products or services provided by the correctional
30 industries program established under AS 33.32 [;

31 (5) FOR PROFESSIONAL SERVICES; OR

1 (6) FOR CONCESSIONS OPERATED ON STATE PROPERTY].

2 * Sec. 7. AS 36.30.320(a) is amended to read:

3 (a) A procurement for supplies, services, or construction that does not exceed an
4 aggregate dollar amount of \$25,000 [\$10,000] may be made in accordance with regulations
5 adopted by the commissioner for small procurements.

6 * Sec. 8. AS 36.30.850(b) is amended by adding new paragraphs to read:

7 (23) disposals of supplies acquired through foreclosure of loans issued under
8 AS 03.10;

9 (24) purchases of curatorial and conservation services to maintain, preserve, and
10 interpret

11 (A) objects of art; and

12 (B) items having cultural, historical, or archaeological significance to the
13 state;

14 (25) acquisition of confidential seismic survey data necessary for pre-sale oil and
15 gas lease analyses under AS 38.05.180;

16 (26) contracts for village public safety officers;

17 (27) purchases of supplies and services to support the operations of the Alaska
18 state troopers or the division of fish and wildlife protection if the procurement officer for the
19 Department of Public Safety makes a written determination that publicity of the purchases would
20 jeopardize the safety of personnel or the success of a covert operation;

21 (28) expenditures when rates are set by law or ordinance;

22 (29) construction of new vessels by the Department of Transportation and Public
23 Facilities for the Alaska marine highway system.

24 * Sec. 9. AS 37.10.050(a) is amended to read:

25 (a) A state agency may not charge for [THE PROVISION OF] state services, materials,
26 licenses, registrations, permits, application processing, the use of state facilities, or other
27 state activities unless the charge (1) is set or otherwise authorized by statute; and (2) where a
28 regulation is necessary, is set by or provided for in a regulation that meets the standards of
29 AS 44.62.020 and 44.62.030. A fee or other charge that is set by regulation may not exceed the
30 estimated actual costs of the state agency in administering the activity or providing the service
31 unless otherwise provided by the statute under which the regulation is adopted; this limitation

1 does not apply to sales of property by a state agency. Unless specifically exempted by statute,
2 a state agency authorized to collect or receive fees, licenses, taxes, or other money belonging to
3 the state shall account for and remit the receipts, less fees to which the collector is entitled by
4 statute or regulation, to the Department of Revenue at least once each month. The commissioner
5 of administration shall separately account under AS 37.05.142 for receipts deposited under this
6 subsection.

7 * Sec. 10. AS 37.10.050 is amended by adding new subsections to read:

8 (d) Each state agency shall annually review fees and charges collected by the agency.
9 If a fee that is set by an agency by regulation does not pay for the estimated actual costs of
10 administering the activity or providing the service or material, the agency shall adjust the fee to
11 that level. If an agency regulates an activity or provides a service or material and another agency
12 is authorized to set fees by regulation for the costs of regulating the activity or providing the
13 service or material, the other agency shall consider the recommendations of the agency regarding
14 the setting of fee levels and adjustment of fee levels so that they comply with this subsection.
15 If the adjustment of a fee results in a substantial increase, the agency may set a schedule to phase
16 in the increase over a period of time. By October 1, each state agency shall submit a report to
17 the office of management and budget regarding existing fee levels set by the agency by
18 regulation and adjustments made to fee levels by the agency during the previous fiscal year, and
19 recommended increases in fees set by statute that the agency collects. Each year by January 1,
20 the office of management and budget shall submit a report to the Legislative Budget and Audit
21 Committee summarizing the reports and recommendations. Within 30 days after the convening
22 of each regular session of the legislature, the committee shall report to the legislature the status
23 of fee regulations and make recommendations for changes in regulations or statutes as
24 appropriate.

25 (e) In this section, "agency" means a board, commission, or agency in the legislative,
26 judicial, or executive branch, but does not include the University of Alaska or a public
27 corporation.

28 * Sec. 11. AS 37.17.030(c) is amended to read:

29 (c) The administrative expenses of the foundation are subject to AS 37.07 and shall be
30 paid from the income of the endowment. The legislature may appropriate income of the
31 endowment for payment of the administrative expenses of the Alaska Aerospace

1 Development Corporation established under AS 14.40.821 and the agricultural and forestry
2 experiment station research centers of the University of Alaska.

3 * Sec. 12. AS 41.21.026(a) is amended to read:

4 (a) Notwithstanding (b) of this section, the [THE] department may charge or collect
5 a fee in a park unit for

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

7 (2) overnight use of a developed campsite;

8 (3) special park use permits;

9 (4) competitive and exclusive commercial use permits;

10 (5) noncompetitive and nonexclusive commercial use permits;

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

12 (7) admission to or guided tours of visitor centers or historic sites; [AND]

13 (8) use of an improved boat ramp in a park facility developed principally for boat

14 launching;

15 (9) sale of firewood;

16 (10) use of a developed trailhead, access site, or picnic site, that has parking,

17 rest rooms, and refuse collection; and

18 (11) the presentation or attendance at programs related to natural or cultural
19 history, outdoor skills or education, or other topics concerned with public use, enjoyment,
20 or understanding of parks.

21 * Sec. 13. AS 42.05 is amended by adding a new section to read:

22 Sec. 42.05.253. PUBLIC UTILITY REGULATORY COST CHARGE. (a) A regulated
23 public utility operating in the state shall pay to the commission an annual regulatory cost charge
24 in an amount not to exceed .61 percent of gross revenue derived from operations in the state, as
25 modified under (c) of this section if appropriate. An exempt utility shall pay the actual cost of
26 services provided to it by the commission.

27 (b) The commission shall by regulation establish a method to determine annually the
28 amount of the regulatory cost charge for a public utility. If the amount the commission expects
29 to collect under (a) of this section and under AS 42.06.285(a) exceeds the authorized budget of
30 the commission, the commission shall, by order, reduce the percentages set out in (a) of this
31 section so that the total amount of the fees collected approximately equals the authorized budget

1 of the commission for the fiscal year.

2 (c) In determining the amount of the regulatory cost charge imposed under (a) of this
3 section,

4 (1) a utility selling utility services at wholesale shall modify its gross revenue by
5 deducting payments it receives for wholesale sales;

6 (2) a local exchange telephone utility shall modify its gross revenue by deducting
7 payments received from other carriers for settlements or access charges.

8 (d) The commission shall calculate the total regulatory cost charges to be levied against
9 all regulated electric utilities under this section. The commission shall allocate the total amount
10 among the regulated electric utilities by using an equal charge per kilowatt hour sold at retail.

11 (e) The commission shall administer the charge imposed under this section. The
12 Department of Revenue shall collect and enforce the charge imposed under this section.

13 (f) The commission shall allow a public utility to recover all payments made to the
14 commission under this section. The commission may not require a public utility to file a rate
15 case in order to be eligible to recover the regulatory cost charge.

16 (g) The commission may adopt regulations under AS 44.62 (Administrative Procedure
17 Act) necessary to administer this section, including requirements and procedures for reporting
18 information and making quarterly payments. The Department of Revenue may adopt regulations
19 under AS 44.62 (Administrative Procedure Act) for investigating the accuracy of filed
20 information, and for collecting required payments.

21 (h) In this section,

22 (1) "exempt utility" means a public utility that is certificated by the commission
23 under AS 42.05.221 - 42.05.281 but, in accordance with AS 42.05.711, is exempt from other
24 regulatory requirements of this chapter;

25 (2) "gross revenue" means the total operating revenue from intrastate services, as
26 shown in a utility's annual report required by the commission by regulation;

27 (3) "regulated utility" means a public utility that is certificated by the commission
28 under AS 42.05.221 - 42.05.281 and that is subject to the other regulatory requirements of this
29 chapter;

30 (4) "wholesale sales" means sales to another utility for resale under circumstances
31 that make revenue from the resale subject to the regulatory cost charge imposed under this

1 section.

2 * Sec. 14. AS 42.05.651(a) is amended to read:

3 (a) During [AFTER COMPLETION OF] a hearing or investigation held under this
4 chapter, the commission may [SHALL] allocate the costs of the hearing or investigation among
5 the parties, including the commission, as is just under the circumstances. In allocating costs, the
6 commission shall consider the regulatory cost charge paid by a utility under AS 42.05.253
7 and may consider the results, ability to pay, evidence of good faith, other relevant factors, and
8 mitigating circumstances. Notwithstanding an intervening party's ability to pay, if the
9 commission determines that an intervening party has conducted its intervention in a
10 frivolous manner, the commission shall allocate all costs associated with the intervention to
11 that party. The costs allocated may include the costs of any time devoted to the investigation
12 or hearing by hired consultants, whether or not the consultants appear as witnesses or
13 participants. The costs allocated may also include any out-of-pocket expenses incurred by the
14 commission in the particular proceeding. The commission shall provide an opportunity for any
15 person objecting to an allocation to be heard before the allocation becomes final.

16 * Sec. 15. AS 42.05.661 is amended to read:

17 Sec. 42.05.661. APPLICATION FEES. With each application relating to a certificate
18 the applicant shall pay the commission a fee set by the commission by regulation that [OF \$50
19 WHICH] shall be deposited in the general fund of the state.

20 * Sec. 16. AS 42.06 is amended by adding a new section to read:

21 Sec. 42.06.285. PIPELINE CARRIER REGULATORY COST CHARGE. (a) A pipeline
22 carrier operating in the state shall pay to the commission an annual regulatory cost charge in an
23 amount not to exceed .61 percent of gross revenue derived from operations in the state. A
24 regulatory cost charge may not be assessed on pipeline carrier operations unless the operations
25 are within the jurisdiction of the commission.

26 (b) The commission shall by regulation establish a method to determine annually the
27 amount of the regulatory cost charge. If the amount the commission expects to collect under (a)
28 of this section and under AS 42.05.253(a) exceeds the authorized budget of the commission, the
29 commission shall, by order, reduce the percentage set out in (a) of this section so that the total
30 amount of the fees collected approximately equals the authorized budget of the commission for
31 the fiscal year.

1 (c) The commission shall administer the charge imposed under this section. The
2 Department of Revenue shall collect and enforce the charge imposed under this section.

3 (d) The commission may adopt regulations under AS 44.62 (Administrative Procedure
4 Act) necessary to administer this section, including requirements and procedures for reporting
5 information and making quarterly payments. The Department of Revenue may adopt regulations
6 under AS 44.62 (Administrative Procedure Act) for investigating the accuracy of filed
7 information, and for collecting required payments.

8 (e) In this section, "gross revenue" means the total intrastate operating revenue as shown
9 in a pipeline carrier's annual report required by the commission by regulation.

10 * Sec. 17. AS 42.06.610(a) is amended to read:

11 (a) During a proceeding held under this chapter, the commission may [SHALL] allocate
12 the cost of the proceeding among the parties, including the commission, as is just under the
13 circumstances. In allocating costs, the commission shall consider the regulatory cost charge
14 paid directly or indirectly under AS 42.06.285. The costs allocated may include the costs of
15 any time devoted to investigations or hearings by hired consultants, whether or not the
16 consultants appear as witnesses or participants. The commission shall provide an opportunity for
17 any person objecting to an allocation to be heard before the allocation becomes final.

18 * Sec. 18. AS 44.21.310(b) is amended to read:

19 (b) The department may

20 (1) coordinate its functions with local, regional, state, and federal officials, private
21 groups and individuals, and with officials of other countries, provinces, and states;

22 (2) enter into contracts and subcontracts on behalf of the state to carry out the
23 provisions of AS 44.21.305 - AS 44.21.330;

24 (3) act for the state in the initiation, investigation, and evaluation of, or
25 participation in, programs related to the purposes of the department that [WHICH] involve more
26 than one government or governmental unit;

27 (4) on behalf of the state, apply for, accept, and expend gifts or grants made to
28 the state if the gifts or grants are for the purposes of furthering the objectives of the department;
29 [AND]

30 (5) hold public hearings to obtain information for the purpose of carrying out the
31 provisions of AS 44.21.305 - 44.21.330; and

1 (6) provide telecommunication services to commercial entities for television
2 broadcast and charge for those services.

3 * Sec. 19. AS 44.21.410(a) is amended to read:

4 (a) The office of public advocacy shall

5 (1) perform the duties of the public guardian under AS 13.26.360 - 13.26.410;

6 (2) provide visitors and experts in guardianship proceedings under AS 13.26.131;

7 (3) provide guardian ad litem services to children in child protection actions under
8 AS 47.17.030(e) and to wards and respondents in guardianship proceedings who will suffer
9 financial hardship or become dependent upon a government agency or a private person or agency
10 if the services are not provided at state expense under AS 13.26.112;

11 (4) provide legal representation in guardianship proceedings to respondents who
12 are financially unable to employ attorneys under AS 13.26.106(b), to indigent parties in cases
13 involving child custody in which the opposing party is represented by counsel provided by a
14 public agency, to indigent parents or guardians of a minor respondent in a commitment
15 proceeding concerning the minor under AS 47.30.775;

16 (5) provide legal representation and guardian ad litem services under
17 AS 25.24.310; in cases arising under AS 47.15 (Uniform Interstate Compact on Juveniles); in
18 cases involving petitions to adopt a minor under AS 25.23.125(b) or petitions for the termination
19 of parental rights on grounds set out in AS 25.23.180(c)(3); in cases involving petitions to
20 remove the disabilities of a minor under AS 09.55.590; in children's proceedings under
21 AS 47.10.050(a); and in cases involving indigent persons who are entitled to representation under
22 AS 18.85.100 and who cannot be represented by the public defender agency because of a conflict
23 of interests;

24 (6) develop and coordinate a program to recruit, select, train, assign, and supervise
25 volunteer guardians ad litem from local communities to aid in delivering services in cases in
26 which the office of public advocacy is appointed as guardian ad litem;

27 (7) provide guardian ad litem services in proceedings under AS 12.45.046;

28 (8) establish a fee schedule and collect fees for services provided by the office.
29 except as provided in AS 18.85.120 or when imposition or collection of a fee is not in the
30 public interest as defined under regulations adopted by the commissioner of administration.

31 * Sec. 20. Section 3, ch. 95, SLA 1989, is amended to read:

1 Sec. 3. EMPLOYMENT ASSISTANCE AND TRAINING PROGRAM FUND
2 [ACCOUNT]. The employment assistance and training program fund [ACCOUNT] is
3 established in the department. Deposits into the fund are not general fund program receipts
4 [GENERAL FUND. THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
5 ACCOUNT FOR MONEY COLLECTED UNDER SEC. 4 OF THIS ACT THAT THE
6 DEPARTMENT DEPOSITED IN THE GENERAL FUND]. The annual estimated balance in
7 the fund [ACCOUNT] may be appropriated by the legislature to the department to implement
8 this Act. If the entire estimated balance is not used to implement this Act during a fiscal
9 year, the [THE] legislature may make appropriations from the employment assistance and
10 training fund [APPROPRIATE THE LAPSING BALANCE OF THE ACCOUNT] to the
11 unemployment compensation fund established in AS 23.20.130.

12 * Sec. 21. TEMPORARY FEES IN STATE PARKS. (a) The following fees apply for the following
13 activities in units of the state park system until the Department of Natural Resources adopts a regulation
14 under AS 41.21.026(c) that establishes a fee for that activity:

- 15 (1) sale of firewood \$4 per bundle;
16 (2) use of a developed trailhead, access site, or picnic site, that has parking, rest rooms,
17 and refuse collection \$2 per vehicle, or \$25 for an annual pass;
18 (3) admission to visitor centers or historical sites \$1 per person.

19 (b) The commissioner of natural resources shall notify the revisor of statutes when a regulation
20 is adopted that establishes a fee for an activity described under (a) of this section.

21 * Sec. 22. Section 21 of this Act is repealed July 1, 1994.

22 * Sec. 23. AS 33.30.031(b) is repealed.

23 * Sec. 24. AS 16.05.340(a), as amended by sec. 2 of this Act, takes effect January 1, 1993.

24 * Sec. 25. Except as provided in sec. 24 of this Act, this Act takes effect July 1, 1992.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 480

Revision Date: 13-May-92 Department Affected: Natural Resources
 Title: Operations of State Agencies BRU: Parks and Recreation Management
 Components: Parks Management
 Sponsor: House Finance
 Requestor: House Finance COMPONENT SERIAL NO. 452

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	38.2	19.0	15.0	15.0		
TRAVEL						
CONTRACTUAL	27.0	15.0	12.0	12.0		
SUPPLIES	10.8	6.0	5.0	5.0		
EQUIPMENT						
LAND&STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	76.0	40.0	32.0	32.0	0.0	0.0

CAPITAL						
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REVENUE GF/PR	150.0	200.0	300.0	400.0	400.0	400.0
Funding Source: 1005						

FUNDING: (Thousands of Dollars)

GENERAL FUND	76.0	40.0	32.0	32.0	0.0	0.0
FEDERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
OTHER						
Funding Source:	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	76.0	40.0	32.0	32.0	0.0	0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of Current year impact:

ANALYSIS:	(Attach a separate page if necessary)
See Attached	

Prepared by: David Stephens Phone: 762-2653
 Division: Parks & Outdoor Recreation Date: 13-May-92
 Approved by Commissioner: Harold C. Healy Date: 13-May-92
 Agency: Department of Natural Resources

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

FISCAL ANALYSIS

The state park fee program to be funded by this fiscal note consists of the design, construction, and installation of fee collection stations at approximately 44 locations in the state park system. Each fee station is estimated to cost \$4,000, including labor, supplies, and contractual expenses.

The fee stations would be installed in phases, over a four year period. Eighteen stations would be installed in FY93, and ten stations installed in FY94. Eight stations would be installed in both FY95 and FY96. First year costs include design and production of fee collection envelopes and annual pass decals, as well as design and production of standard drawings and plans for the fee stations. These one-time costs are estimated at \$4,000.

No new positions would be required by this legislation. Additional administrative and management costs would be absorbed by existing staff.

The estimate of revenue to be produced by this bill is based on visitation records for selected park units, as well as financial records for the existing camping fee program. In the fourth year of implementation, this new fee program is expected to generate annual revenues of approximately \$400,000. Potential revenues to the state from this program exceed the state's costs in each year of the four year implementation period. In subsequent years, these user fees would help offset increased park maintenance and operating costs as well as possible general fund budget reductions. The net financial effect of this program would be positive, with fee revenues significantly greater than operating costs.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 480

Revision Date: _____

Department Affected: Commerce & Econ. Dev.

Title: An Act relating to the finances of
state government

BRU: Alaska Public Utilities Commission

Component: APUC Administration

Sponsor: Senate Finance

Requestor: Senate Finance

COMPONENT SERIAL NO.

0	3	6	4
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	43.1	43.1	43.1	43.1	43.1	43.1
TRAVEL	1.4		2.1			
CONTRACTUAL	62.0	50.0	50.0	50.0	50.0	50.0
SUPPLIES	0.4					
EQUIPMENT	6.4					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	113.3	93.1	95.2	93.1	93.1	93.1

CAPITAL						
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REVENUE FUND RESOURCE:	3,881.6	3,861.4	3,863.5	3,861.4	3,861.4	3,861.4
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:	113.3	93.1	95.2	93.1	93.1	93.1
TOTAL	113.3	93.1	95.2	93.1	93.1	93.1

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY	1	1	1	1	1	1

Estimate of current year impact: _____

ANALYSIS (Attach a separate page if necessary.)

SEE ATTACHED

Prepared By: Robert A. Lohr

Phone: 276-6222

Division: Alaska Public Utilities Commission

Date: _____

Approved by Commissioner: Glenn A. Olds

Agency: Department of Commerce & Economic Development

Date: _____

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legls. Ofc., and Impacted Agency(ies).

FISCAL NOTE - SB 481

ANALYSIS:

The expenses reflected in this fiscal note are those costs required to implement, administer, collect and enforce the regulatory cost charges established by AS 42.05.253 for public utilities and AS 42.06.285 for pipeline carriers.

SB 481 would produce general fund revenues equal to the Commission's legislatively approved budget, subject to the regulatory cost charge rate caps contained in the bill. This is based on the requirements of Section 21 (AS 42.05.253(b)) and Section 23 (AS 42.06.285(b)) of the bill.

This legislation will require the promulgation of new regulations. The decision of whether to appropriate the funds generated from these regulatory cost charges to the Commission will be annually made through the legislative process, subject to the Executive Budget Act.

The detailed breakout of costs summarized on the fiscal note is set out below.

At this time, it is the Commission's understanding that it will be responsible to administer, collect and enforce the regulatory cost charge under SB 481. Therefore, the APUC has identified additional costs which it would incur in order to implement this program.

Listed below is a breakout of the costs which are identified on the fiscal note.

PERSONAL SERVICES:

1.	0.0	Year-end reconciliation of reports and receipts from pipelines and utilities will require two staff months of a Utility Financial Analyst II (Range 19). The APUC will attempt to use existing Financial Analysts to perform this function.
2.	37.3	Tasks associated with the surcharge will require additional clerical support because administrative section personnel will be unable to absorb the additional work load. There will be a requirement for an Accounting Clerk III (Range 10) to handle the billing and collection process.
3.	5.8	There will be a three-month period each year when the work load will require additional clerical support. We anticipate that this "peak" work load could be handled with the use of a "seasonal" or "temporary" Administrative Support Technician II (Range 8).
TOTAL:	43.1	ADDITIONAL PERSONAL SERVICES

TRAVEL:

1.	1.4	Two trips to Juneau. One to discuss implementation of the regulatory cost charge with Department of Revenue, Department of Commerce and Economic Development and Administration. Another at the end of the first year is needed to review the procedures and correct any deficiencies.
TOTAL:	1.4	TRAVEL REQUIREMENTS

CONTRACTUAL:

1.	50.0	Contractual services for collection and enforcement of the regulatory cost charges.
2.	6.0	Development of regulations to implement the pipeline/utility surcharge, notice regulations, hold public hearings.
3.	5.5	Enhancement of APUC computer subsystem to bill, monitor, collect, report, reconcile, and mesh with other APUC and State of Alaska reporting systems which will require information from this data base.
4.	.5	Additional postage costs for first year.
TOTAL	<u>62.0</u>	CONTRACTUAL

COMMODITIES:

TOTAL	<u>0.4</u>	Additional costs per year for paper, etc.
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EQUIPMENT:

1.	6.0	Personal computer with hard disc and software package to operate computer; printer and other PC peripherals.
2.	0.4	5-drawer filing cabinet to house records.
TOTAL	<u>6.4</u>	EQUIPMENT

GRAND TOTAL	<u>113.3</u>	<u>Fiscal Year 1993</u>
	<u>93.1</u>	<u>Fiscal Years 1994 to 1998, except FY 95.</u>

Amendments #1 thru 6
(No. #3)

5-14-92

Purchase #1 CS SB 480 (L+C)

page 6 Delete Sec. 12

page 8 delete Sec. 16

page 10 delete Secs. 22 and 24.

Adopted

Incorporate Amends. #1, 2, 4, 5, & 6
into CS SB 480 (Fix)

#2 JD
Adopted

6-14-92 55-SFC-92

7-LS2255M.10

Cook

05/08/92

AMENDMENT #2

OFFERED IN THE SENATE

TO: 4:00

BY SENATOR ^{Dinner} ADAMS

make Am/Am

Page , after line :

Insert a new bill section to read:

"* Sec. 4. AS 36.30.100(b) is amended to read:

(b) Competitive sealed bidding is not required

(1) when the commissioner determines in writing that food, clothing, or medical supplies, or supplies [MATERIALS] for use in laboratory or medical studies may be purchased otherwise to the best advantage of the state;

(2) [WHEN RATES ARE FIXED BY LAW OR ORDINANCE;

(3)] for the purchase of products or services manufactured or provided by an employment program; or

(3) [(4)] for the purchase of products or services provided by the correctional industries program established under AS 33.32 [;

(5) FOR PROFESSIONAL SERVICES; OR

(6) FOR CONCESSIONS OPERATED ON STATE PROPERTY]."

Renumber the following bill sections accordingly.

Page 2, after line 29:

Insert a new bill section to read:

"* Sec. 6. AS 36.30.850(b) is amended by adding new paragraphs to read:

(23) disposals of supplies acquired through foreclosure of loans issued under AS 03.10;

(24) purchases of curatorial and conservation services to maintain, preserve, and interpret

(A) objects of art; and

(B) items having cultural, historical, or archaeological significance to the state;

(25) acquisition of confidential seismic survey data necessary for pre-sale oil and gas lease analyses under AS 38.05.180;

(26) contracts for village public safety officers;

(27) purchases of supplies and services to support the operations of the Alaska state troopers or the division of fish and wildlife protection if the procurement officer for the Department of Public Safety makes a written determination that publicity of the purchases would jeopardize the safety of personnel or the success of a covert operation;

(28) expenditures when rates are set by law or ordinance."

Renumber the following bill sections accordingly.

(29) construction of new vessels by the Department of Transportation and Public Facilities for the Alaska Marine Highway System.

New #4
BB480

- (3) the slogan "The Last Frontier";
 - (4) the registration number assigned to the vehicle for which it is issued;
 - (5) the name of this state, which may be abbreviated; and
 - (6) the registration year number or expiration date for which time it is validated;
- the registration year number or expiration date may be part of the license plate or contained on a suitable sticker or tab device issued by the department; however, only one sticker or tab device may be issued for each pair of plates and the sticker or tab device must be affixed to the rear plate.

A* Sec. 2. AS 33.30.031(a) is amended to read:

(a) The commissioner shall determine the availability of state correctional facilities suitable for the detention and confinement of persons held under authority of state law or under agreement entered into under (e) of this section. If the commissioner determines that suitable state correctional facilities are not available, the commissioner may enter into an agreement with a public or private agency to provide necessary facilities. Correctional facilities provided through agreement with a public agency for the detention and confinement of persons held under authority of state law may be in this state or in another state. Correctional facilities provided through agreement with a private agency must be located in this state unless the commissioner finds in writing that (1) there is no other reasonable alternative for detention in the state; and (2) the agreement is necessary because of health or security considerations involving a particular prisoner or class of prisoners, or because an emergency of prisoner overcrowding is eminent. The commissioner may not enter into an agreement with an agency unable to provide a degree of custody, care, and discipline similar to that required by the laws of this state.

* Sec. 3. AS 33.30.231 is amended by adding a new subsection to read:

(d) Notwithstanding (a) of this section, the department may contract under AS 36.30 for telephone services for use by a prisoner.

* Sec. 4. AS 36.30.100(b) is amended to read:

- (b) Competitive sealed bidding is not required
 - (1) when the commissioner determines in writing that food, clothing, or medical supplies, or supplies [MATERIALS] for use in laboratory or medical studies may be purchased otherwise to the best advantage of the state;

B P. 10 - Line 30 Delete AS 33.30.031(c) and 33.30.031(d)

#5 0588 480
5-14-92

Adopted Hoffman

1 chapter;

2 (3) receive and hold open for public inspection reports and statements required
3 to be made under this chapter and, upon request, furnish copies at cost to interested persons;

4 (4) compile and maintain a current list of all filed reports and statements;

5 (5) prepare a summary of each report filed under AS 15.13.110 and make copies
6 of this summary available to interested persons at their actual cost;

7 (6) notify, by registered or certified mail, all persons who are delinquent in filing
8 reports and statements required to be made under this chapter;

9 (7) report within 60 days after the election the names of all persons and groups
10 who have failed to comply with any of the provisions of this chapter to the office of the attorney
11 general;

12 (8) examine, investigate, and compare all reports, statements, and actions required
13 by this chapter, AS 24.45, and AS 39.50 and report to the attorney general the names of all
14 persons or groups that [WHICH] the commission has substantial reason to believe have violated
15 this chapter, AS 24.45, or AS 39.50;

16 (9) prepare and publish a biennial report to the legislature concerning the activities
17 of the commission, the effectiveness of this chapter, its enforcement by the attorney general's
18 office, and recommendations and proposals for change;

19 (10) adopt regulations necessary to implement and clarify the provisions of
20 AS 24.45, AS 39.50, and this chapter, subject to the provisions of the Administrative Procedure
21 Act (AS 44.62);

22 (11) establish by regulation a schedule of fees for reports, statements, and
23 filings, delinquent reports, statements, and filings, and for services performed by the
24 commission.

25 * Sec. 5. AS 16.05.340(a) is amended to read:

26 (a) Fees for licenses and tags are as follows:

27 (1) Resident sport fishing license \$ 15 [10]

28 However, the fee is 25 cents for a resident who is blind.

29 (2) Resident hunting license 25 [12]

30 (3) Resident hunting and trapping license 40 [22]

31 (4) Resident trapping license 15 [10]

- 1 (5) Resident hunting and sport fishing license 40 [22]
- 2 (6) Resident hunting, trapping, and sport fishing license 55 [32];
- 3 (A) however, the fee is \$5 for an applicant who
- 4 (i) is receiving or has received assistance during the preceding six
- 5 months under any state or federal welfare program to aid the indigent, or
- 6 (ii) has an annual family gross income of less than \$8,200 for the
- 7 year preceding application;
- 8 (B) a person paying \$5 for a resident hunting, trapping, and sport fishing
- 9 license must provide proof of eligibility under this paragraph when requested by the
- 10 departments.
- 11 (7) Nonresident special sport fishing license - valid for the period inscribed on
- 12 the license
- 13 (A) For 14-day license \$ 30
- 14 (B) For three-day license 15
- 15 (C) For one-day license 10
- 16 (8) Nonresident sport fishing license 50
- 17 (9) Nonresident hunting license 85
- 18 (10) Nonresident hunting and sport fishing license 135
- 19 A nonresident may not take a big game animal without previously purchasing a numbered,
- 20 nontransferable, appropriate tag, issued under (15) of this subsection. The tag must be affixed
- 21 to the animal immediately upon capture and must remain affixed until the animal is prepared for
- 22 storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy
- 23 the tagging requirement for an animal of any other species for which the tag fee is of equal or
- 24 less value.
- 25 (11) Nonresident hunting and trapping license \$250
- 26 (12) Fur dealers
- 27 (A) Resident fur dealer biennial license 150
- 28 (B) Nonresident fur dealer biennial license 500
- 29 (13) Taxidermists
- 30 (A) Resident taxidermy biennial license 200
- 31 (B) Nonresident taxidermy biennial license 500

- 1 (14) Aquatic farming triennial license 400
- 2 (15) Nonresident big game tags
- 3 (A) Bear, black, each 225
- 4 (B) Bear, brown or grizzly, each 500
- 5 (C) Bison, each 450
- 6 (D) Caribou, each 325
- 7 (E) Deer, each 150
- 8 (F) Elk, each 300
- 9 (G) Goat, each 300
- 10 (H) Moose, each 400
- 11 (I) Sheep, each 425
- 12 (J) Wolf, each 175
- 13 (K) Wolverine, each 175
- 14 (L) Musk oxen, each 1,100

- 15 (16) Resident big game tags
- 16 (A) Bear, brown or grizzly, each \$25

17 The Board of Game may, by regulation effective for not more than one year, eliminate the
 18 resident brown or grizzly bear tag and fee for all or a portion of a game management unit.

- 19 (B) Musk oxen, each 500

20 However, the Board of Game may by regulation reduce or eliminate the fee for a resident big
 21 game tag for musk oxen for an open season.

- 22 (17) Waterfowl conservation tag 5

23 (A) A person may not engage in waterfowl hunting without having the
 24 current year's waterfowl tag in the person's actual possession, unless that person

- 25 (i) qualifies for a \$5 license fee under (6) of this subsection;
- 26 (ii) is a resident under the age of 16;
- 27 (iii) is 60 years of age or older and is a resident;
- 28 (iv) is a disabled veteran eligible for a free license under

29 AS 16.05.341.

30 (B) The Board of Game shall by regulation exempt the requirement of a
 31 waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit

1 from programs described in AS 16.05.130(b)(2) - (4).

- 2 (18) Game farming
- 3 (A) Game mammal or game reptile farming biennial license . . . \$250
- 4 (B) Game bird farming biennial license 50
- 5 (19) Nonresident small game hunting license 20
- 6 (20) Nonresident alien hunting license 300

7 A nonresident alien may not take a big game animal without previously purchasing a numbered,
8 nontransferable, appropriate tag, issued under (21) of this subsection. The tag must be affixed
9 to the animal immediately upon capture and must remain affixed until the animal is prepared for
10 storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy
11 the tagging requirement for an animal of any other species for which the tag fee is of equal or
12 less value.

- 13 (21) Nonresident alien big game tags
- 14 (A) Bear, black, each \$300
- 15 (B) Bear, brown or grizzly, each 650
- 16 (C) Bison, each 650
- 17 (D) Caribou, each 425
- 18 (E) Deer, each 200
- 19 (F) Elk, each 400
- 20 (G) Goat, each 400
- 21 (H) Moose, each 500
- 22 (I) Musk oxen, each 1,500
- 23 (J) Sheep, each 550
- 24 (K) Wolf, each 250
- 25 (L) Wolverine, each 250
- 26 (22) Chitina personal use salmon dip net fishing permit 10
- 27 (23) Resident king salmon tag 10

28 A resident may not engage in sport fishing for king salmon without having the current year's
29 king salmon tag in the resident's actual possession, unless that person

- 30 (A) qualifies for a 25 cent license fee under (1) of this subsection;
- 31 (B) is under the age of 16;

1 (C) is 60 years of age or older and has been a resident of the state for at
2 least one year;

3 (D) is a disabled veteran eligible for a free license under AS 16.05.341;
4 or

5 (E) qualifies for a \$5 license fee under (6) of this subsection.

6 (24) Nonresident king salmon tag \$20

7 A nonresident may not engage in sport fishing for king salmon without having the current
8 year's king salmon tag in the person's actual possession.

9 * Sec. 6. AS 18.31.200 is amended by adding a new subsection to read:

10 (g) The Department of Labor shall adopt by regulation a fee schedule for

11 (1) review, approval, and certification of asbestos training certification programs
12 and plans under this section; and

13 (2) certification of a person employed to abate an asbestos health hazard.

14 * Sec. 7. AS 18.65.310(a) is amended to read:

15 (a) Upon payment of a \$10 [\$5] fee, the Department of Public Safety shall issue a card
16 identical to the motor vehicle operator's license provided for in AS 28.15.111, except that the
17 card shall be of a different color and shall state in bold type letters across the face of it that it
18 is for identification purposes only.

19 * Sec. 8. AS 28.10.108(b) is amended to read:

20 (b) Subject to the provisions of (f) of this section, a vehicle subject to registration

21 (1) under AS 28.10.011 and ~~28.10.421(b)(3) [AND (4)]~~ and (c)(1) - (4) shall have
22 its initial registration, and may have its annual registration, renewed during the month of
23 December;

24 (2) under AS 28.10.181, 28.10.411 and ~~28.10.421(d)(3) and (8) [(9)]~~ shall have
25 its initial registration, and may have its annual registration, renewed during the month of January.

26 * Sec. 9. AS 28.10.421(b) is amended to read:

27 (b) The annual registration fees under this subsection are imposed within the following
28 classifications for:

29 (1) a passenger vehicle [OR MOTOR HOME] not used or maintained for the
30 transportation of persons or property for hire or for other commercial use \$70 [\$35];

31 (2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not

This section is effective

Jan 1, 1993.

#6 RS

SS-SFC-91

Adopted

AMENDMENT
by Shultz

SB 480
in the section relation to fees under AS 37.10.050 (d)

Page 4, Line 6

after the language " Within 30 days after the convening of each regular session of the legislature, the committee shall report to the legislature the status of fee regulations and make recommendations for statutory changes ."

delete "statutory changes", and

insert "changes in regulations or statutes as appropriate".

Comparison of CSSB 480 (L&C) to HB 596 and HB 597

<u>CSSB 480</u>	<u>HB 596</u>	<u>HB 597</u>
Sec. 1		
Sec. 2		Sec. 6
Sec. 3	Sec. 2&3*	
Sec. 4	Sec. 4	
Sec. 5	Sec. 6	
Sec. 6/7	Sec. 8 (Sturg. #3*)	
Sec.8	Sec. 9, 10 and 11*	
Sec. 9		Sec. 18*
Sec. 10-16		Sec. 20-23*
Sec. 17		Sec. 24
Sec. 18		Sec. 25
Sec. 19	Sec. 19	
Sec.20		Sec. 29
Sec.21		Sec. 30
Sec. 22		
Sec. 23		
Sec. 24		

SB481

SENATE FINANCE COMMITTEE REPORT

DATE: 5/14/92

FURTHER:

DATE TURNED INTO OFFICE: 5-14-92

The Finance Committee considered SENATE BILL NO. 481

"An Act relating to charging for certain regulatory services provided by the state, and authorizing the sale of water by the state; and providing for an effective date."

and recommends:

replace with CS SB 481 (FINANCE)
or adopt previous CS _____
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

Dur/Spc

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

DO PASS

OTHER RECOMMENDATIONS:

1. [Signature]
Co-Chair: Signature/Recommendation

[Signature] Do pass
Co-Chair: Signature/Recommendation

FISCAL NOTE
REPORTED OUT OF

REQUEST: SFC 5-14-92
 Revision Date: _____ Affected Agency: Natural Resources
 Title: Water fees and sale BRU: Water Mgmt.
 Sponsor: Senate Finance Components: Water Mgmt.
 Requestor: Senate Finance 916

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUNDING: (THOUSANDS OF DOLLARS)

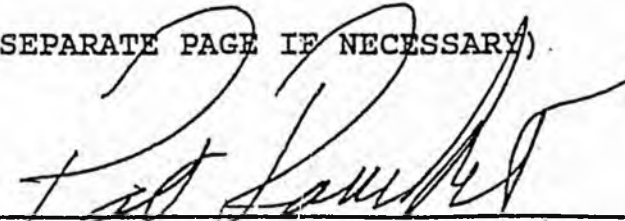
General Fund						
Federal Fund						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Prepared By:


 Senator Pat Fouchot, Co-chairman
 Senate Finance Committee

Date: 5-14-92

Phone: 465-3879

DISTRIBUTION (BY PREPARER
 LEGISLATIVE FINANCE
 LEGISLATIVE SPONSOR)

REQUESTOR
 OFFICE OF MANAGEMENT AND BUDGET
 AGENCY (IES)

CS FOR SENATE BILL NO. 481 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SPECIAL SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 5/14/92
Referred: Rules

Sponsor(s): SENATE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to material sites; relating to the removal of water from one hydrologic
2 unit to another hydrologic unit; authorizing the commissioner of natural resources to
3 establish a water conservation fee for removal of water from one hydrologic unit to
4 another hydrologic unit; providing for the sale of water by the state of water appropriated
5 to the state; requiring a reservation of water for fish only if water is removed from one
6 hydrologic unit to another hydrologic unit or if water is sold by the state; defining
7 hydrologic unit to mean a hydrologic subregion of the state; and providing for an effective
8 date."

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

10 * Section 1. AS 46.15.020(b) is amended to read:

11 (b) The commissioner shall

12 (1) adopt procedural and substantive regulations to carry out the provisions of this

1 chapter, taking into consideration the responsibilities of the Department of Environmental
2 Conservation under AS 46.03 and the Department of Fish and Game under AS 16;

3 (2) keep a public record of all applications for permits and certificates and other
4 documents filed in the commissioner's office; and shall record all permits and certificates and
5 amendments and orders affecting them and shall index them in accordance with the source of the
6 water and the name of the applicant or appropriator;

7 (3) cooperate with, assist, advise, and coordinate plans with the federal, state, and
8 local agencies in matters relating to the appropriation, use, conservation, quality, disposal, or
9 control of waters and activities related thereto;

10 (4) prescribe fees or service charges for any public service rendered;

11 (5) before February 1 of each year, submit a report to the legislature
12 describing the activities of the commissioner under AS 46.15.035 and 46.15.037; the report
13 must include

14 (A) information on the number of applications and appropriations for
15 the removal of water from one hydrological unit to another that were requested and
16 that were granted and on the amounts of water involved;

17 (B) information on the number and location of sales of water
18 conducted by the commissioner and on the volume of water sold;

19 (C) recommendations of the commissioner for changes in state water
20 law; and

21 (D) a description of state revenue and expenses related to activities
22 under AS 46.15.035 and 46.15.037.

23 * Sec. 2. AS 46.15 is amended by adding new sections to read:

24 Sec. 46.15.035. APPROPRIATION OR REMOVAL OF WATER OUT OF
25 HYDROLOGIC UNITS TO OTHER HYDROLOGIC UNITS; WATER CONSERVATION FEE;
26 RESERVATION OF WATER FOR FISH. (a) Water may not be removed from the hydrologic
27 unit from which it was appropriated to another hydrologic unit, inside or outside the state,
28 without being returned to the hydrologic unit from which it was appropriated nor may water be
29 appropriated for removal from the hydrologic unit from which the appropriation is sought to
30 another hydrologic unit, inside or outside the state, without the water being returned to the
31 hydrologic unit from which it is to be appropriated, unless the commissioner

1 (1) finds that the water to be removed or appropriated for removal is surplus to
2 needs within the hydrologic unit from which the water is to be removed or appropriated for
3 removal, including fishing, mining, timber, oil and gas, agriculture, domestic water supply, and
4 other needs as determined by the commissioner;

5 (2) finds that the application for removal or appropriation for removal meets the
6 requirements of AS 46.15.080; and

7 (3) assesses a water conservation fee under (b) of this section.

8 (b) The commissioner shall establish, by regulation, a water conservation fee for a use
9 of water in which the water is removed from the hydrologic unit from which it was appropriated
10 to another hydrologic unit inside or outside the state, without the water being returned to the
11 hydrologic unit from which it was appropriated. The fee established under this subsection shall
12 be graduated to encourage the conservation of water.

13 (c) Except as provided in AS 46.15.090, and in addition to the requirements of (a) of this
14 section, the commissioner may approve an application for removal or permit an appropriation for
15 removal under (a) of this section of water from a lake, river, or stream that is used by fish for
16 spawning, incubation, rearing, or migration, or ground water that significantly influences the
17 volume of water in a lake, river, or stream that is used by fish for spawning, incubation, rearing,
18 or migration, only if the commissioner reserves a volume of water in the lake or an instream flow
19 in the river or stream for the use of fish and to maintain habitat for fish. The commissioner may
20 adjust the volume of water reserved under this subsection if the commissioner, after public notice
21 and opportunity to comment and with the concurrence of the commissioner of fish and game,
22 finds that the best interests of the state are served by the adjustment. A reservation under this
23 subsection

24 (1) of a volume of water or an instream flow for the use of fish and to maintain
25 habitat for fish that is reserved under this section is withdrawn from appropriation;

26 (2) for fish from a lake, river, or stream, identified under AS 16.05.870 or
27 identified in a Department of Fish and Game regional guide as being used by fish for spawning,
28 incubation, rearing, or migration on or before the effective date of this Act, has a priority date
29 as of the effective date of this Act;

30 (3) of water does not apply to an application for removal or appropriation for
31 removal under AS 46.15.040 for nonconsumptive uses of water or for single family domestic use;