

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672

6100 HOUSE STATE AFFAIRS

508

Representative H. A. "Red" Boucher

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February 10, 1989

and 98) were added to the repealer in sec. 97 of CSKB 85(SA) because their provisions are redundant to the proposed new secs. 37.05.142 and 37.05.144.

Further Changes Required to Conform Existing Laws.

If the committee adopts the approach represented by the enclosed draft, and desires to conform existing law to this approach, it would require repealing approximately 50 AS sections or subsections and amending approximately 19 existing provisions. The resulting bill would still be shorter than HB 85 as introduced.

Subject to further review, I would recommend that the following provisions in existing law be amended:

AS 02.15.130; AS 14.07.059(d); AS 18.62.030; AS 18.70.-080(b); AS 18.70.310(d); AS 19.25.200(a); AS 26.05.230(b); AS 28.10.165; AS 28.10.421(d)(14); AS 28.10.421(f); AS 33.-30.031(e); AS 33.32.020(b); AS 38.05.874(d); AS 38.09.-020(b); AS 43.50.350; AS 44.37.025(b); AS 44.41.020; AS 44.41.025(b); AS 44.62.175(d).

Also subject to further review, I would recommend that the following provisions of existing law be repealed:

AS 05.15.025; AS 06.01.045; AS 08.01.065(e); AS 10.06.-858(b); AS 10.15.563; AS 10.20.643; AS 10.25.530(c); AS 10.35.075; AS 10.40.140(c); AS 12.55.105(d); AS 14.20.-020(e); AS 14.48.090(b); AS 16.05.826(d); AS 16.43.105; AS 16.51.160(b); AS 18.50.330(b); AS 18.60.950; AS 19.05.-046; AS 21.06.260; AS 23.05.070; AS 28.05.021(b); AS 28.-10.431(i); AS 34.45.370(b); AS 34.55.020(g); AS 36.30.-730(f); AS 39.30.096; AS 39.45.021; AS 41.08.025; AS 41.-21.030(b); AS 41.23.470(e); AS 42.05.651(b); AS 42.06.-610(c); AS 42.30.225(f); AS 43.10.037; AS 44.21.160(h); AS 44.21.410(c); AS 44.29.022(c); AS 44.33.022; AS 44.33.-120(c); AS 44.33.730(b); AS 44.42.025; AS 44.83.195(c); AS 44.88.420(b); AS 45.09.409; AS 45.55.265; AS 47.10.-120(d); AS 47.23.125; AS 47.25.030(e); AS 47.30.910(g); AS 47.80.150(g).

If I can be of further assistance, please advise.

DRD:mi  
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Original sponsor: Rules/Governor

IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

CS FOR HOUSE BILL NO. 85 (State Affairs)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

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

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

\* Section 1. AS 37.05 is amended by adding new sections to read:

Sec. 37.05.142. ACCOUNTING FOR PROGRAM RECEIPTS. The Department of Administration shall establish and maintain separate accounts by program source for all program receipts that state agencies deposit under AS 37.10.050 or under another statute if the program receipts are exempted by law from the deposit requirements of AS 37.10.050.

Sec. 37.05.144. APPROPRIATIONS BASED UPON PROGRAM RECEIPTS. The annual estimated balance in each account maintained under AS 37.07.142 may be used by the legislature to make appropriations to state agencies to administer the programs generating the program receipts, to implement the laws related to the functions generating the program receipts, or to cover costs associated with the collection of the program receipts.

Sec. 37.05.146. DEFINITION OF PROGRAM RECEIPTS. In AS 37.05.-142 - 37.05.146 and AS 37.07.080 "program receipts" means fees, charges, income earned on assets, and other state money received by a state agency in connection with the performance of its functions; all program receipts except the following are general fund program

## receipts:

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- (1) federal receipts;
  - (2) University of Alaska receipts (AS 14.40.491);
  - (3) receipts of the following funds:
    - (A) highway working capital fund (AS 44.74.010);
    - (B) correctional industries fund (AS 33.32.020);
    - (C) loan funds;
    - (D) international airport revenue fund (AS 37.15.430);
    - (E) funds managed by the Alaska State Building Authority (AS 18.55.020), the Alaska Housing Finance Corporation (AS 18.56.020), the Medical Indemnity Corporation of Alaska (AS 21.88.020), the Alaska Railroad Corporation (AS 42.40.010), the Municipal Bond Bank Authority (AS 44.85.020), or the Alaska Industrial Development and Export Authority (AS 44.88.020);
    - (F) fish and game fund (AS 16.05.100);
    - (G) school fund (AS 43.50.140);
    - (H) training and building fund (AS 23.20.130);
    - (I) retirement funds (AS 14.25, AS 22.25, AS 26.-05.222, AS 39.35, and former AS 39.37);
    - (J) permanent fund (art. IX, sec. 15, Alaska Constitution);
    - (K) public school fund (AS 37.14.110);
    - (L) second injury fund (AS 23.30.040);
    - (M) fishermen's fund (AS 23.35.060);
    - (N) FICA administration fund (AS 39.30.050).

\* Sec. 2. AS 37.10.050(a) is amended to read:

(a) A state agency may not charge for the provision of state services unless the charge is set [AUTHORIZED] by statute or is set by a regulation that meets the standards of AS 44.62.020 and 44.62.030.

1 Unless specifically exempted by statute, a state agency authorized to  
2 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  
4 the collector is entitled by statute or regulation, to the Department  
5 of Revenue at least once each month. The commissioner of administra-  
6 tion shall separately account under AS 37.05.142 for receipts depo-  
7 sited under this subsection.

8 \* Sec. 3. AS 02.15.090(a) is amended to read:

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

25 \* Sec. 4. AS 02.15.102 is amended to read:

26 Sec. 02.15.102. USE OF AIRPORTS FOR UTILITIES. A utility  
27 facility may be constructed, placed, or maintained across, along,  
28 over, under, or within a state airport only in accordance with regula-  
29 tions adopted or procedures prescribed by the department and only if

1 authorized by a written permit issued by the department. The depart-  
2 ment may charge a fee for a permit issued under this section.

3 \* Sec. 5. AS 02.15.106 is amended to read:

4 Sec. 02.15.106. ENCROACHMENT PERMITS. An encroachment may be  
5 constructed, placed, changed, or maintained across or within an air-  
6 port, but only in accordance with regulations or procedures adopted by  
7 the department. An encroachment may not be constructed, placed,  
8 maintained, or changed until it is authorized by a written permit  
9 issued by the department, unless the department provides otherwise by  
10 regulation. The department may charge a fee for a permit issued under  
11 this section.

12 \* Sec. 6. AS 03.10.020(a) is amended to read:

13 (a) The department may

14 (1) make a loan to

15 (A) an individual resident farmer, homesteader, or a  
16 partnership or corporation composed of farmers and homesteaders  
17 for

18 (i) clearing land for agricultural purposes;

19 (ii) development of farms;

20 (iii) storage and processing of farm produce; or

21 (iv) the purchase of livestock or machinery;

22 (B) an individual state resident, or a partnership or  
23 corporation for

24 (i) storage and processing plants for agricul-  
25 tural products;

26 (ii) the commercial production or processing of  
27 horticultural products in the state;

28 (iii) the commercial production or processing of  
29 animal feed in the state; or

1 (iv) the raising or care of animals in the state  
2 for the purpose of marketing their fur;

3 (2) designate agents and delegate its powers to them as  
4 necessary;

5 (3) adopt [RULES AND] regulations necessary to carry out  
6 its functions, including regulations to establish reasonable fees for  
7 services provided and charges for collecting the fees;

8 (4) establish amortization plans for repayment of loans,  
9 which may include delayed payments of principal and interest for not  
10 to exceed five years;

11 (5) enter into agreements with private lending institu-  
12 tions, other state agencies or agencies of the federal government, to  
13 carry out the purposes of this chapter;

14 (6) collect the fees and collection charges established  
15 under this subsection.

16 \* Sec. 7. AS 03.10.040 is amended by adding a new subsection to read:

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

19 Deleted  
2/11 \* Sec. 8. AS 06.01.010 is amended to read:

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

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

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

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

23 \* Sec. 9. AS 06.01.010 is amended by adding new subsections to read:

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

29 (e) In this section "deposit institution" means an institution

1 chartered under this title that has obtained authority from the de-  
2 partment to receive deposits of the type eligible to be insured by an  
3 agency of the federal government.

4 \* Sec. 10. AS 10.15.255 is amended to read:

5 Sec. 10.15.255. TERMINATION OF RECORDED CONTRACT. When a  
6 contract recorded under AS 10.15.230 - 10.15.260 has been terminated  
7 in any manner, the cooperative shall upon demand [,] give a statement  
8 of termination to the member party to the contract, who may record the  
9 statement in the office of the recorder where the contract was origin-  
10 ally recorded. The recorder shall stamp "expired" after the name of  
11 the member in the alphabetical record. The fee for the recording and  
12 stamping shall be established by the department by regulation [SUBJECT  
13 TO AS 10.05.773].

14 \* Sec. 11. AS 10.15.260 is amended to read:

15 Sec. 10.15.260. RECORDING OF LIST OF TERMINATED CONTRACTS. A  
16 cooperative may record in the office of the recorder where the con-  
17 tract was originally recorded a sworn list of the names of all persons  
18 whose contracts have been terminated in a manner other than by expira-  
19 tion of their term. The recorder shall stamp "expired" after the name  
20 of each of those persons in the alphabetical record. The fee for the  
21 recording and stamping shall be established by the department by  
22 regulation [SUBJECT TO AS 10.05.773].

23 ✓ \* ~~Sec. 12~~ AS 10.15.530 is amended to read:

24 Sec. 10.15.530. BIENNIAL LICENSE FEE. Each cooperative not  
25 organized and operated for nonprofit religious, charitable, cemetery,  
26 or educational purposes [,] shall pay to the department a biennial  
27 license fee. The fee shall be paid before July 2 of the reporting  
28 year. [IN THE CASE OF NEW COOPERATIVES FORMED DURING A BIENNIAL  
29 PERIOD, THE FEE SHALL BE PROPORTIONATE TO THE FRACTION OF THE BIENNIAL

PERIOD.]

\* ~~Sec. 13.~~ AS 10.15.545 is amended to read:

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

\* Sec. 14. AS 10.15.555 is amended to read:

Sec. 10.15.555. MISCELLANEOUS FEES AND CHARGES. (a) The department shall establish by regulation [SUBJECT TO AS ~~10.05.773~~] and charge and collect from a cooperative fees for filing

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

(2) articles of amendment, restated articles, or articles of merger [, AND, IF THE ARTICLES PROVIDE FOR AN INCREASE OF THE AMOUNT OF AUTHORIZED CAPITAL STOCK OF THE COOPERATIVE, THE FILING COOPERATIVE SHALL ALSO PAY THE PROPORTIONATE PART OF THE ANNUAL LICENSE FEE FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR, PAYABLE BY A COOPERATIVE WHOSE AUTHORIZED SHARES EQUAL THE NEWLY INCREASED AUTHORIZED SHARES OF THE FILING COOPERATIVE, LESS THE ANNUAL LICENSE FEE ALREADY PAID FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR BY THE FILING COOPERATIVE; BUT FILING ARTICLES DECREASING THE AUTHORIZED SHARES DO NOT REDUCE THE ANNUAL LICENSE FEE OF THE FILING COOPERATIVE UNTIL THE BEGINNING OF THE FISCAL YEAR FOLLOWING THAT IN WHICH THE ARTICLES WERE FILED];

(3) statement of intent to dissolve;

(4) statement of revocation of voluntary dissolution proceedings;

(5) articles of dissolution;

(6) all other statements.

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

8 \* Sec. 15. AS 10.20.530 is amended to read:

9 Sec. 10.20.530. SERVICE ON COMMISSIONER. When a foreign corpo-  
10 ration authorized to transact business in the state, or not authorized  
11 to transact business in the state but doing so, fails to appoint or  
12 maintain a registered agent in the state, or when a registered agent  
13 cannot with reasonable diligence be found at the registered office, or  
14 when the certificate of authority of a foreign corporation is sus-  
15 pended or revoked, the commissioner is an agent upon whom process,  
16 notice, or demand may be served. Service on the commissioner shall be  
17 made by delivering to and leaving with the commissioner, or a designee  
18 in the corporation division of the department, duplicate copies of the  
19 process, notice or demand, accompanied by a fee established by the  
20 department by regulation [SUBJECT TO AS 10.05.773]. The commissioner  
21 shall immediately have one copy forwarded by registered or certified  
22 mail, addressed to the corporation at its principal office in the  
23 state or country under whose laws it is incorporated. Service on the  
24 commissioner is returnable in not less than 30 days.

25 \* Sec. 16. AS 10.20.635 is amended to read:

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

29 (1) [FILING] articles of incorporation and issuing a

certificate of incorporation;

(2) [FILING] articles of amendment and issuing a certificate of amendment;

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

(4) [FILING] articles of merger or consolidation and issuing a certificate of merger or consolidation;

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

(6) [FILING] articles of dissolution;

(7) [FILING] an application of a foreign corporation for a certificate of authority to conduct affairs in this state and issuing a certificate of authority;

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

(9) [FILING] a copy of an amendment to the articles of incorporation of a foreign corporation holding a certificate of authority to conduct affairs in this state;

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

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

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

(b) The department may by regulation charge each corporation subject to this chapter a fixed fee in place of the various fees specified in this chapter [, WITH THE EXCEPTION OF (a)(1) OF THIS

1 SECTION,] and for routine administrative services rendered to the  
2 corporation by the department. [AN INCREASE IN THE FIXED FEE CHARGED  
3 UNDER THIS SUBSECTION IS SUBJECT TO AS 10.05.773.]

4 \* Sec. 17. AS 10.20.640 is amended to read:

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

8 \* Sec. 18. AS 10.25.530(a) is amended to read:

9 Sec. 10.25.530. FEES. (a) The commissioner shall establish by  
10 regulation [SUBJECT TO AS 10.05.773], charge, and collect [FILING]  
11 fees for

- 12 (1) filing articles of incorporation;
- 13 (2) filing articles of amendment;
- 14 (3) filing articles of consolidation or merger;
- 15 (4) filing articles of conversion;
- 16 (5) filing certificate of election to dissolve;
- 17 (6) filing articles of dissolution;
- 18 (7) filing certificate of change of principal office and  
19 designation or change of registered office and registered agent; and
- 20 (8) acting as agent for service of process.

21 \* Sec. 19. AS 10.25.530(b) is amended to read:

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

28 \* Sec. 20. AS 10.35.060 is amended to read:

29 Sec. 10.35.060. FEE FOR AND DURATION OF REGISTERED NAME. The

1 fee for the initial registration of a business name shall be estab-  
2 lished by the department by regulation [SUBJECT TO AS 10.05.773]. The  
3 year in which the registration becomes effective is considered a full  
4 year of registration and the registration is effective until the close  
5 of the fifth calendar year beginning with the year of initial regis-  
6 tration.

7 \* Sec. 21. AS 10.35.070 is amended to read:

8 Sec. 10.35.070. RENEWAL OF REGISTERED NAME. A registered  
9 business name may be renewed every five years if an application for  
10 renewal is filed. An application for renewal must set out the facts  
11 required in an original application for registration and be accom-  
12 panied by a renewal fee to be established by the department by regula-  
13 tion [SUBJECT TO AS 10.05.773]. An application for renewal may be  
14 filed between October 1 and December 31 of any year. The renewal of  
15 the registration extends the registration for the following five  
16 calendar years.

17 \* Sec. 22. AS 10.40.140(a) is amended to read:

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

21 ✓ \* Sec. 23. AS 12.55.105(a) is amended to read:

22 Sec. 12.55.105. PROBATION AND URINALYSIS FEES [FEE]. (a) A  
23 court granting probation shall require a periodic probation fee to be  
24 paid to the Department of Corrections as a condition of probation. In  
25 addition, the department may charge a fee for any urinalysis that may  
26 be required. The fee amounts [AMOUNT] shall be established by regula-  
27 tion adopted by the commissioner of corrections.

28 \* Sec. 24. AS 14.07.030 is amended to read:

29 Sec. 14.07.030. [POWERS OF THE DEPARTMENT.] The department may

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

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

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

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

10 (5) prescribe a classification for items of expense of  
11 school districts;

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

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

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

25 (9) exercise disapproval power under AS 14.08.101;

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

29 (11) set student tuition and fees for educational and

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1 extracurricular programs and services provided and schools operated by  
 2 the department under the provisions of [AS 14.07.020(12) AND] (1) of  
 3 this section and AS 14.07.020(9), (11), and (12);

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

7 (13) establish and collect fees for the rental of school  
 8 facilities and for other programs and services provided by the  
 9 schools.

10 \* Sec. 25. AS 14.56.030(10) is amended to read:

11 (10) establishing and charging fees for reproduction, [OR]  
 12 printing, and handling costs, [AND] for mailing and distributing state  
 13 publications and research data, and for other services authorized by  
 14 this chapter;

15 \* Sec. 26. AS 14.57.010 is amended by adding a new subsection to read:

16 (c) The department may establish by regulation, and collect,  
 17 reasonable user fees and other fees for services provided by the  
 18 department under this chapter.

19 \* Sec. 27. AS 15.60 is amended by adding a new section to read:

20 Sec. 15.60.007. SALE OF VOTER REGISTRATION AND ELECTION MANAGE-  
 21 MENT SOFTWARE. The director may sell voter registration and election  
 22 management system data processing software. Receipts generated  
 23 through the sales shall be deposited in the general fund.

24 \* Sec. 28. AS 16.05.050(16) is amended to read:

25 (16) to establish and charge fees equal to the cost of  
 26 services provided by the department, including provision of public  
 27 shooting ranges, broodstock and eggs for private nonprofit hatcheries,  
 28 department publications, and other direct services, and reasonable  
 29 fees for the use of state facilities managed by the department;

1 \* Sec. 29. AS 16.05.050 is amended by adding a new paragraph to read:

2 (18) to operate state housing and facilities for employees,  
3 contractors, and others in support of the department's responsibil-  
4 ities and to charge rent that is consistent with any applicable col-  
5 lective bargaining agreement, or, if no collective bargaining agree-  
6 ment is applicable, competitive with market conditions; rent received  
7 from tenants shall be deposited in the general fund.

8 \* Sec. 30. AS 16.10.310(a)(3) is amended to read:

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

12 \* Sec. 31. AS 16.10.310(a) is amended by adding a new paragraph to  
13 read:

14 (9) charge and collect the fees established under this  
15 subsection.

16 \* Sec. 32. AS 16.10.320 is amended by adding a new subsection to read:

17 (j) All principal and interest payments, and any money charge-  
18 able to principal or interest that is collected through liquidation by  
19 foreclosure or other process on loans made under AS 16.10.300 - 16.-  
20 10.370, shall be paid into the commercial fishing revolving loan fund.

21 \* Sec. 33. AS 16.10.340 is amended by adding a new subsection to read:

22 (b) Money in the fund may be used by the legislature to make  
23 appropriations for costs of administering AS 16.10.300 - 16.10.370.

24 \* Sec. 34. AS 16.10.505 is amended to read:

25 Sec. 16.10.505. FISHERIES ENHANCEMENT REVOLVING LOAN FUND.  
26 There is created within the Department of Commerce and Economic Devel-  
27 opment a revolving fund to be known as the fisheries enhancement  
28 revolving loan fund. Except as provided in (b) of this section, the  
29 [THE] fund shall be used to carry out the purposes of AS 16.10.500 -

1 16.10.560 and for no other purpose. All principal and interest pay-  
2 ments, and money chargeable to principal or interest that is collected  
3 through liquidation by foreclosure or other process on loans made  
4 under AS 16.10.500 - 16.10.560, shall be raid into the fisheries  
5 enhancement revolving loan fund.

6 \* Sec. 35. AS 16.10.505 is amended by adding a new subsection to read:

7 (b) Money in the fund may be used by the legislature to make  
8 appropriations for costs of administering AS 16.10.500 - 16.10.560.

9 \* Sec. 36. AS 16.10.510(4) is amended to read:

10 (4) adopt regulations necessary to carry out the provisions  
11 of AS 16.10.500 - 16.10.560, including regulations to establish rea-  
12 sonable fees for services provided [COMMISSIONER'S FUNCTIONS];

13 \* Sec. 37. AS 16.10.510 is amended by adding a new paragraph to read:

14 (11) charge and collect the fees established under this  
15 section.

16 \* Sec. 38. AS 17.30.100(c) is amended to read:

17 (c) The Department of Public Safety, [IN COOPERATION WITH OTHER  
18 STATE AND FEDERAL AGENCIES, AND] in accordance with AS 37.07 (the  
19 Executive Budget Act), may apply for and accept money necessary to  
20 exchange information concerning narcotics trafficking between the  
21 states, or otherwise related to the enforcement of AS 11.71 or AS 11.-  
22 73. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR  
23 MONEY RECEIVED UNDER THIS SUBSECTION THAT THE DEPARTMENT OF PUBLIC  
24 SAFETY DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN  
25 THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO  
26 THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS SECTION.]

27 \* Sec. 39. AS 18.07 is amended by adding a new section to read:

28 Sec. 18.07.035. APPLICATION AND FEES. Application for a cer-  
29 tificate of need shall be made to the department upon a form provided

1 by the department and must contain the information the department  
2 requires to reach a decision under AS 18.07.041 - 18.07.111. Each  
3 application for a certificate of need must be accompanied by an appli-  
4 cation fee established by the department by regulation.

5 ✓ \* ~~Sec. 40.~~ AS 18.20.030 is amended to read:

6 Sec. 18.20.030. APPLICATION AND FEES. Application for a license  
7 shall be made to the department upon a form provided by it, and must  
8 [SHALL] contain the information the department requires, which may in-  
9 clude affirmative evidence of ability to comply with the reasonable  
10 standards and regulations adopted under AS 18.20.060 - 18.20.080.  
11 Each application for a license must [SHALL] be accompanied by a li-  
12 cense fee ~~established by the department by regulation~~ [OF \$10]. The  
13 department shall deposit all fees received in the general fund [STATE  
14 TREASURY].

15 ✓ \* ~~Sec. 41.~~ AS 18.20.040 is amended to read:

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

posted in a conspicuous place on the licensed premises.

\* Sec. 42. AS 18.55.100(a) is amended by adding new paragraphs to read:

(16) charge to and collect fees from owners or developers of low-income housing for the application for and allocation of federal low-income housing tax credits;

(17) collect and pay reasonable fees and charges in connection with making, purchasing, and servicing its mortgages, loans, notes, bonds, certificates, commitments, and other evidences of indebtedness.

\* Sec. 43. AS 18.65.410 is amended to read:

Sec. 18.65.410. APPLICATIONS. Application for a license as a security guard must be made on forms provided by the commissioner. The application must require the furnishing of information reasonably required by the commissioner to carry out the provisions of AS 18.65.-400 - 18.65.490, including classifiable fingerprints to enable the search of criminal indices for evidence of a prior criminal record. The application must be accompanied by a nonrefundable application fee in an amount set by the Department of Public Safety by regulation [OF \$25] for a security guard and [\$200] for a security guard agency.

\* Sec. 44. AS 18.65.430 is amended to read:

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

\* Sec. 45. AS 19.25.010 is amended to read:

Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES. A utility facility may be constructed, placed, or maintained across, along, over, under, or within a state right-of-way only in accordance with

1 regulations adopted by the department and if authorized by a written  
2 permit issued by the department. The department may charge a fee for  
3 a permit issued under this section.

4 \* Sec. 46. AS 19.60.030 is amended to read:

5 Sec. 19.60.030. USE OF FERRY TERMINAL FACILITIES [REGULATIONS].

6 The department may adopt regulations governing the use of ferry termi-  
7 nal facilities by the public that it considers necessary and proper in  
8 the public interest. The department may charge a fee for the use of  
9 ferry terminal facilities, whether the use is under a permit or other-  
10 wise, and whether it is by one or more individuals.

11 \* Sec. 47. AS 24.20.050 is amended by adding a new subsection to read:

12 (b) The executive director may establish reasonable fees for  
13 services and materials provided by the Legislative Affairs Agency to  
14 entities outside of the legislative branch of state government and  
15 charges for collecting the fees. All fees and charges collected by  
16 the agency shall be deposited into the general fund.

17 \* Sec. 48. AS 26.15.030(a) is amended to read:

18 (a) The Department of Commerce and Economic Development shall  
19 formulate general policies and adopt rules and regulations, including  
20 regulations to establish reasonable fees for services provided.

21 \* Sec. 49. AS 26.15.030(c) is amended to read:

22 (c) The department shall

23 (1) cooperate with the federal government in matters of  
24 mutual concern pertaining to loans to Alaskan veterans;

25 (2) make reports that the federal government may desire;

26 (3) [REPEALED

27 (4)] cooperate with the state and its political subdivi-  
28 sions and agencies;

29 (4) [(5)] adopt regulations necessary for the conduct of

1 its business and for carrying out the provisions of this chapter, and  
2 make necessary regulations to maintain such standards;

3 (5) [(6)] require bonds and undertakings from persons  
4 employed by it as shall in its judgment be necessary, and pay the  
5 premiums on them;

6 (6) [(7)] establish regional and local offices and advisory  
7 groups that are necessary or considered expedient to carry out or  
8 assist in carrying out its duties and authorities;

9 (7) charge and collect the fees established under this  
10 section.

11 \* Sec. 50. AS 26.15.040(d) is amended to read:

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

23 \* Sec. 51. AS 26.15.090 is amended by adding a new subsection to read:

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

26 \* Sec. 52. AS 27.09.010(b) is amended to read:

27 (b) The mining loan fund is a revolving fund consisting of  
28 appropriations made to the fund by the legislature, [AND] repayments  
29 of principal and interest, and any money chargeable to principal or

1 interest that is collected through liquidation by foreclosure or other  
2 process on loans made from the fund. Money appropriated to or repaid  
3 into the fund does not lapse under AS 37.25.010. Money in the fund  
4 may be used by the legislature to make appropriations for costs of  
5 administering the fund.

6 \* Sec. 53. AS 27.09.050 is amended to read:

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

17 \* Sec. 54. AS 29.25 is amended by adding a new section to read:

18       Sec. 29.25.075. COLLECTION OF PENALTIES. The court may collect  
19 for a municipality any monetary penalty or item to be forfeited as a  
20 result of the violation of an ordinance. The supreme court may pre-  
21 scribe by rule the fees to be charged by all courts to municipalities  
22 for providing collection services under this section.

23 \* Sec. 55. AS 35.10.015 is amended by adding a new subsection to read:

24       (f) The department may establish by regulation, and collect  
25 reasonable fees for services provided in the course of determining  
26 compliance with regulations adopted under this section.

27 \* Sec. 56. AS 35.10.210 is amended to read:

28       Sec. 35.10.210. USE OF PUBLIC FACILITIES FOR UTILITIES. A  
29 utility facility may be constructed, placed, or maintained across,

1 along, over, under, or within a state public facility only in accor-  
2 dance with regulations adopted or procedures prescribed by the depart-  
3 ment and only if authorized by a written permit issued by the depart-  
4 ment. The department may charge a fee for a permit issued under this  
5 section.

6 \* Sec. 57. AS 35.10.230 is amended to read:

7       Sec. 35.10.230. ENCROACHMENT PERMITS. An encroachment may be  
8 constructed, placed, changed, or maintained across or within a public  
9 facility, but only in accordance with regulations or procedures adopt-  
10 ed by the department. An encroachment may not be constructed, placed,  
11 maintained, or changed until it is authorized by a written permit  
12 issued by the department, unless the department provides otherwise by  
13 regulation. The department may charge a fee for a permit issued under  
14 this section.

15 \* Sec. 58. AS 38.35.140(b) is amended to read:

16       (b) The lessee shall reimburse the state for all reasonable  
17 costs incurred in processing an application filed under AS 38.35.050  
18 and in monitoring the construction of the pipeline on the right-of-  
19 way. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR  
20 MONEY RECEIVED UNDER THIS SUBSECTION THAT THE DEPARTMENT OF NATURAL  
21 RESOURCES DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE  
22 IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS  
23 TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS SECTION.]

24 \* Sec. 59. AS 38.95.250 is amended by adding a new subsection to read:

25       (b) All money collected under (a) of this section not required  
26 to be kept in the escheated real property trust account shall be  
27 deposited in the general fund.

28 \* Sec. 60. AS 39.25.050 is amended by adding a new subsection to read:

29       (b) The director of personnel may contract with municipalities,

private organizations, and other persons to provide personnel research or personnel training services for them and charge a fee for doing so.

\* Sec. 61. AS 44.23 is amended by adding a new section to read:

Sec. 44.23.025. DEPARTMENT HOUSING. The Department of Law may operate state housing in support of its statutory responsibilities and may charge rent consistent with an applicable collective bargaining agreement.

\* Sec. 62. AS 44.33.240 is amended by adding a new subsection to read:

(b) The department may use money in the fund for costs of administering AS 44.33.240 - 44.33.275.

\* Sec. 63. AS 44.33.245(a) is amended to read:

(a) The department may

(1) make loans for the construction, renovation, and equipping of child care facilities, including private nonprofit child care facilities;

(2) adopt regulations necessary to carry out the provisions of AS 44.33.240 - 44.33.275, including regulations to establish reasonable fees for services provided and charges for collecting the fee; and

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

\* Sec. 64. AS 44.33.255(d) is amended to read:

(d) All principal and interest payments, and any money chargeable to principal or interest that is collected through liquidation by foreclosure or other process on loans made under AS 44.33.240 - 44.33.275, shall be paid into the child care facility revolving loan fund.

\* Sec. 65. AS 44.33.600 is amended by adding a new subsection to read:

(c) Money in the fund may be used by the legislature to make

appropriations for costs of administering AS 44.33.600 - 44.33.630.

1 \* Sec. 66. AS 44.41.020 is amended by adding a new subsection to read:

2 (c) The Department of Public Safety may operate state housing in  
3 support of the department's statutory responsibilities and charge rent  
4 consistent with applicable collective bargaining agreements, or, if no  
5 collective bargaining agreement is applicable, competitive with market  
6 conditions. Rent received from tenants shall be deposited in the gen-  
7 eral fund.

8 \* Sec. 67. AS 44.41 is amended by adding a new section to read:

9 Sec. 44.41.040. CRIMINAL HISTORY FEE. The commissioner of  
10 public safety may establish by regulation and the Department of Public  
11 Safety may charge a reasonable fee to be paid by a person requesting a  
12 criminal history record check or a copy of the person's criminal  
13 history record from confidential files maintained by the department.

14 \* Sec. 68. AS 44.42.020(b) is amended to read:

15 (b) The department may

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

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

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

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

27 (5) charge reasonable fees to cover the costs of issuing  
28 easements, licenses, and permits and to cover the costs of  
29

1 reproduction, printing, mailing, and distribution of contract and bid  
2 documents and design and construction standards manuals;

3 (6) charge and collect fees for training services and  
4 technical assistance provided by department personnel.

5 \* Sec. 69. AS 44.46 is amended by adding a new section to article 1 to  
6 read:

7 Sec. 44.46.025. FEES FOR SERVICES. The department may adopt  
8 regulations that prescribe reasonable fees for services provided by  
9 the department, including fees for services provided under AS 03.05,  
10 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020. The department  
11 shall collect the fees and deposit them in the general fund.

12 \* Sec. 70. AS 44.47.055 is amended to read:

13 Sec. 44.47.055. FEES FOR PUBLICATIONS, [AND] RESEARCH DATA, AND  
14 OTHER SERVICES. The commissioner may establish by regulation and the  
15 department may charge reasonable fees for department publications,  
16 [AND] research data, and other services to cover the cost of reproduc-  
17 tion, printing, mailing, [AND] distribution, and other services. [THE  
18 COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR FEES  
19 COLLECTED UNDER THIS SECTION THAT THE DEPARTMENT DEPOSITS IN THE  
20 GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN THE ACCOUNT MAY BE USED  
21 BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO THE DEPARTMENT TO CARRY  
22 OUT THE PURPOSES OF THIS SECTION.]

23 \* Sec. 71. AS 44.47.380 is amended by adding a new subsection to read:

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

27 \* Sec. 72. AS 44.50.040 is amended to read:

28 Sec. 44.50.040. FEES. ~~The lieutenant governor may, by regula-~~  
29 ~~tion, prescribe the fee for a notary public commission. The [A] fee~~

1 [OF \$20] shall be paid to the lieutenant governor for each commission  
2 issued to a person other than [TO] a state employee. The lieutenant  
3 governor shall deposit the fees in the general fund.

4 \* Sec. 73. AS 44.83.170 is amended by adding a new subsection to read:

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

7 \* Sec. 74. AS 44.83.361 is amended by adding a new subsection to read:

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

11 \* Sec. 75. AS 45.87.010 is amended by adding a new subsection to read:

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

14 \* Sec. 76. AS 45.87.020(c) is amended to read:

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

21 \* Sec. 77. AS 45.87.060 is amended to read:

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

26 \* Sec. 78. AS 45.87 is amended by adding a new section to read:

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

1 \* Sec. 79. AS 45.88.010 is amended by adding a new subsection to read:

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

4 \* Sec. 80. AS 45.88.020(a) is amended to read:

5 (a) The department may

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

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

11 (3) collect the fees and collection charges established  
12 under this subsection.

13 \* Sec. 81. AS 45.88.030(d) is amended to read:

14 (d) All principal and interest payments, and money chargeable to  
15 principal or interest that is collected through liquidation by fore-  
16 closure or other process on loans made under this chapter, shall be  
17 paid into the alternative energy revolving loan fund.

18 \* Sec. 82. AS 45.89.010 is amended by adding a new subsection to read:

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

21 \* Sec. 83. AS 45.89.030(h) is amended to read:

22 (h) All principal and interest payments, and money chargeable to  
23 principal or interest that is collected through liquidation by fore-  
24 closure or other process [AMOUNTS REPAYED] on a loan made under this  
25 chapter, [SECTION] shall be paid into [DEPOSITED TO] the residential  
26 energy conservation fund.

27 \* Sec. 84. AS 45.89.070 is amended to read:

28 Sec. 45.89.070. REGULATIONS. The department shall adopt regu-  
29 lations necessary to carry out the provisions of [IMPLEMENT] this

chapter, including regulations to establish reasonable fees for services provided and charges for collecting the fees.

\* Sec. 85. AS 45.89.070 is amended by adding a new subsection to read:

(b) The department may collect the fees and collection charges established under (a) of this section.

\* Sec. 86. AS 45.90.010 is amended to read:

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

\* Sec. 87. AS 45.90.010 is amended by adding a new subsection to read:

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

\* Sec. 88. AS 45.90.020(a) is amended to read:

(a) The department may

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

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

(3) adopt rules and regulations necessary to carry out its functions, including regulations to establish reasonable fees for services provided and charges for collecting the fees;

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

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

\* Sec. 89. AS 45.95.010(a) is amended to read:

1 (a) The Department of Commerce and Economic Development shall  
2 formulate general policies and adopt regulations necessary to carry  
3 out the provisions of this chapter, including regulations to establish  
4 fees for services provided and charges for collecting the fees. The  
5 department may collect the fees and collection charges established.

6 \* Sec. 90. AS 45.95.020(d) is amended to read:

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

17 \* Sec. 91. AS 45.95.060 is amended by adding a new subsection to read:

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

20 \* Sec. 92. AS 45.98.010 is amended to read:

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

28 \* Sec. 93. AS 45.98.010 is amended by adding a new subsection to read:

29 (b) Money in the fund may be used by the legislature to make

appropriations for costs of administering this chapter.

\* Sec. 94. AS 45.98.030 is amended to read:

Sec. 45.98.030. POWERS AND DUTIES OF THE DEPARTMENT. For purposes of administering this chapter, the Department of Commerce and Economic Development may

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

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

(3) in consultation with the Historic Sites Advisory Committee, adopt regulations necessary to carry out its functions, including regulations for the process of plan approval by the committee and regulations to establish reasonable fees for services provided and charges for collecting the fees;

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

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

\* Sec. 95. AS 47.05 is amended by adding a new section to read:

Sec. 47.05.080. RETENTION OF OVERPAYMENTS COLLECTED. Benefit overpayments collected by the department in administering programs under AS 47.25.120 - 47.25.300 (general relief), AS 47.25.310 - 47.25.420 (aid to families with dependent children), AS 47.25.430 - 47.25.615 (adult public assistance), and AS 47.25.975 - 47.25.990 (food stamps) shall be remitted to the Department of Revenue under AS 37.10.050(a).

\* Sec. 96. Notwithstanding AS 37.10.050(a), as amended by sec. 1, ch. 138, SLA 1986, a fee charged by an agency under a regulation that was adopted before July 1, 1987, under authority of a statute that does not

1 expressly authorize a charge for a service, is valid if it would have been  
2 valid before the 1986 amendment of AS 37.10.050(a). The regulation and fee  
3 remain in effect, and the agency may charge for the service, until the  
4 regulation is repealed or amended by the agency. To amend the regulation  
5 to change the fee, the agency shall meet the standard of AS 37.10.050(a) as  
6 amended by sec. 2 of this Act.

7 \* Sec. 97. AS 10.15.535, 10.15.540; AS 14.56.035; AS 14.57.015; AS 16.-  
8 05.053; AS 37.05.500(a)(1), 37.05.500(a)(4), 37.05.500(a)(6); AS 42.05.661;  
9 AS 44.42.025; AS 44.83.195(c); and AS 46.03.020(12) and 46.03.025 are  
10 repealed.

11 \* Sec. 98. Section 96 of this Act, dealing with fees charged under a  
12 regulation adopted before July 1, 1987, is retroactive to July 1, 1987.

13 \* Sec. 99. This Act takes effect immediately under AS 01.10.070(c).  
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STATE OF ALASKA  
THE LEGISLATURE

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


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 14, 1989

SUBJECT: Program Receipts - CSHB 85(SA), Version D

TO: Representative H.A. "Red" Boucher  
Chair, House State Affairs Committee  
Attn: Dennis Burns

FROM: David R. Dierdorff   
Revisor of Statutes

Enclosed is another version of CSHB 85(SA) that was requested by Dennis Burns for your consideration.

This version is a cleanup of HB 85 as introduced, but with all material that proposed to substitute fees set by regulation for fees established by statute, or otherwise diminished legislative limitations on fees, deleted from the bill.

✓ I kept sec. 1 as it was in the bill as introduced, but I believe that the committee should consider placing the definition of program receipts in AS 37 rather than in AS 01.

The following sections of HB 85 were deleted for this version (section numbers are those of the original bill):

10, 11, 13 - 24, 49, 51, 53, 55, 102, and a portion of 133 (three AS sections removed from repealer)

✓ I should note that many of the deleted sections 13 - 24 were in the bill only to remove a reference to a provision repealed by ch. 166, SLA 1988 (AS 10.05.773). Because the same amendments are proposed in HB 148 (the revisor's bill), it was felt that there is no need to continue them in this bill as long as no other changes were being made in the provisions. In several instances, other changes were proposed, but those changes would have been deleted for this version of the bill, because they diminished legislative control over the amount of fees or other charges.

Representative H.A. "Red" Boucher

Page 2

February 14, 1989

The following sections of CSHB 85(SA), version D, would add new fee charging authority, or increase existing authority:

4 - 6, 11, 12, 14, 16, 19, 22, 29, 33, 35, 37, 39, 42 -  
44, 51, 54 - 56, 74, 79, 82, 83, 92, 95, 100, 104, 106,  
111

The following sections of CSHB 85(SA), version D, would add authority for a new activity of an agency, for which a fee might be charged:

2, 18, 20, 49, 69, 72, 78, 80

If I can be of further assistance, please advise.

DRD:gc  
WKG7/029

Enclosure

Original sponsor: Rules/Governor

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IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

CS FOR HOUSE BILL NO. 85 (State Affairs)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

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

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

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

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

(A) federal receipts;

(B) University of Alaska receipts (AS 14.40.491);

(C) receipts of the following funds:

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

(ii) correctional industries fund (AS 33.32.020);

(iii) loan funds;

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

(v) funds managed by the Alaska State Building Authority (AS 18.55.020), the Alaska Housing Finance Corporation (AS 18.56.020), the Medical Indemnity Corporation of Alaska (AS 21.88.020), the Alaska Railroad Corporation (AS 42.40.010), the Municipal Bond Bank Authority

1 (AS 44.85.020), or the Alaska Industrial Development and  
2 Export Authority (AS 44.88.020);

3 (vi) fish and game fund (AS 16.05.100);

4 (vii) school fund (AS 43.50.140);

5 (viii) training and building fund (AS 23.20.130);

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

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

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

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

12 (xiii) fishermen's fund (AS 23.35.060);

13 (xiv) FICA administration fund (AS 39.30.050).

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

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

navigation facility, or a portion of them [THEREOF].

1  
2 \* Sec. 3. AS 02.15.090 is amended by adding a new subsection to read:

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

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

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

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

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

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

4 \* Sec. 6. AS 03.10.020(a) is amended to read:

5 (a) The department may

6 (1) make a loan to

7 (A) an individual resident farmer, homesteader, or a  
8 partnership or corporation composed of farmers and homesteaders  
9 for

10 (i) clearing land for agricultural purposes;

11 (ii) development of farms;

12 (iii) storage and processing of farm produce; or

13 (iv) the purchase of livestock or machinery;

14 (B) an individual state resident, or a partnership or  
15 corporation for

16 (i) storage and processing plants for agricul-  
17 tural products;

18 (ii) the commercial production or processing of  
19 horticultural products in the state;

20 (iii) the commercial production or processing of  
21 animal feed in the state; or

22 (iv) the raising or care of animals in the state  
23 for the purpose of marketing their fur;

24 (2) designate agents and delegate its powers to them as  
25 necessary;

26 (3) adopt [RULES AND] regulations necessary to carry out  
27 its functions, including regulations to establish reasonable fees for  
28 services provided and charges for collecting the fees;

29 (4) establish amortization plans for repayment of loans,

1 which may include delayed payments of principal and interest for not  
2 to exceed five years;

3 (5) enter into agreements with private lending institu-  
4 tions, other state agencies or agencies of the federal government, to  
5 carry out the purposes of this chapter;

6 (6) collect the fees and collection charges established  
7 under this subsection.

8 \* Sec. 7. AS 03.10.040 is amended by adding a new subsection to read:

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

11 \* Sec. 8. AS 03.22 is amended by adding a new section to read:

12 Sec. 03.22.075. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
13 commissioner of administration shall separately account for all fees  
14 collected by the department under AS 03.22.020(5) and deposited in the  
15 general fund. The annual estimated balance in the account may be used  
16 by the legislature to make appropriations to the department for the  
17 purposes of implementing this chapter.

18 \* Sec. 9. AS 04.11.590 is amended by adding a new subsection to read:

19 (c) The commissioner of administration shall separately account  
20 for all application and license fees collected under this title that  
21 the Department of Revenue deposits in the general fund. The annual  
22 estimated balance in the account may be used by the legislature to  
23 make appropriations to the department to carry out the purposes of  
24 AS 04.06.

25 \* Sec. 10. AS 09.25 is amended by adding a new section to read:

26 Sec. 09.25.123. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
27 commissioner of administration shall separately account for all fees  
28 collected under AS 09.25.110 and 09.25.120 that state agencies deposit  
29 in the general fund. The annual estimated balance in the accounts may

1 be used by the legislature to make appropriations to the agencies to  
2 carry out their respective functions.

3 \* Sec. 11. AS 12.55.105(a) is amended to read:

4 Sec. 12.55.105. PROBATION AND URINALYSIS FEES [FEE]. (a) A  
5 court granting probation shall require a periodic probation fee to be  
6 paid to the Department of Corrections as a condition of probation. In  
7 addition, the department may charge a fee for any urinalysis that may  
8 be required. The fee amounts [AMOUNT] shall be established by regula-  
9 tion adopted by the commissioner of corrections.

10 \* Sec. 12. AS 14.07.030 is amended to read:

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

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

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

17 (3) provide for citizenship night schools when and where  
18 expedient;

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

21 (5) prescribe a classification for items of expense of  
22 school districts;

23 (6) acquire and transfer personal property, acquire real  
24 property, and transfer real property to federal agencies, state agen-  
25 cies, or to political subdivisions;

26 (7) enter into contractual agreements with school districts  
27 to provide more efficient or economical education services; reasonable  
28 fees may be charged by the department to cover the costs of providing  
29 services under an agreement, including costs for professional

1 services, reproduction or printing, and mailing and distribution of  
2 educational materials;

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

7 (9) exercise disapproval power under AS 14.08.101;

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

11 (11) set student tuition and fees for educational and extra-  
12 curricular programs and services provided and schools operated by the  
13 department under the provisions of [AS 14.07.020(12) AND] (1) of this  
14 section and AS 14.07.020(9), (11), and (12);

15 (12) charge fees to cover the costs of care and handling  
16 with respect to the acquisition, warehousing, distribution, or trans-  
17 fer of donated foods;

18 (13) establish and collect fees for the rental of school  
19 facilities and for other programs and services provided by the  
20 schools.

21 \* Sec. 13. AS 14.07.035 is amended by adding a new subsection to read:

22 (f) The commissioner of administration shall separately account  
23 for all rental and other fees collected by the department under AS  
24 14.07.030(13) and deposited in the general fund. The annual estimated  
25 balance in the account may be used by the legislature to make appro-  
26 priations to the department for operation of state schools.

27 \* Sec. 14. AS 14.56.030(10) is amended to read:

28 (10) establishing and charging fees for reproduction, [OR]  
29 printing, and handling costs, [AND] for mailing and distributing state

1 publications and research data, and for other services authorized by  
2 this chapter:

- 3 \* Sec. 15. AS 14.56.035 is amended to read:

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

- 10 \* Sec. 16. AS 14.57.010 is amended by adding a new subsection to read:

11 (c) The department may establish by regulation, and collect,  
12 reasonable user fees and other fees for services provided by the  
13 department under this chapter.

- 14 \* Sec. 17. AS 14.57.015 is amended to read:

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

- 22 \* Sec. 18. AS 15.60 is amended by adding new sections to read:

23 Sec. 15.60.007. VOTER REGISTRATION AND ELECTION MANAGEMENT  
24 SYSTEM RECEIPTS. (a) The director may sell voter registration and  
25 election management system data processing software. Receipts gen-  
26 erated through the sales shall be deposited in the general fund.

27 (b) The commissioner of administration shall separately account  
28 for all money collected through sales under (a) of this section that  
29 the department deposits in the general fund. The annual estimated

1 balance in the account may be used by the legislature to make appro-  
2 priations to the division of elections to carry out its responsibil-  
3 ities in connection with the voter registration and election manage-  
4 ment system.

5 Sec. 15.60.009. ACCOUNTING FOR AND DISPOSITION OF FEES AND  
6 RETAINED DEPOSITS. The commissioner of administration shall separate-  
7 ly account for all money collected as fees for copies of voter regis-  
8 tration lists under AS 15.15.400; as filing fees under AS 15.25.050,  
9 AS 15.35.041, 15.35.057, 15.35.071, and 15.35.120; as charges for  
10 space in the election pamphlet under AS 15.58.060; and for all money  
11 retained from deposits under AS 15.20.450, AS 15.45.020, 15.45.260,  
12 and 15.45.480. The annual estimated balance in the accounts may be  
13 used by the legislature to make appropriations to the division of  
14 elections to carry out its functions under this title.

15 \* Sec. 19. AS 16.05.050(16) is amended to read:

16 (16) to establish and charge fees equal to the cost of  
17 services provided by the department, including provision of public  
18 shooting ranges, broodstock and eggs for private nonprofit hatcheries,  
19 department publications, and other direct services, and reasonable  
20 fees for the use of state facilities managed by the department;

21 \* Sec. 20. AS 16.05.050 is amended by adding a new paragraph to read:

22 (18) to operate state housing and facilities for employees,  
23 contractors, and others in support of the department's responsibil-  
24 ities and to charge rent that is consistent with any applicable col-  
25 lective bargaining agreement, or, if no collective bargaining agree-  
26 ment is applicable, competitive with market conditions; rent received  
27 from tenants shall be deposited in the general fund.

28 \* Sec. 21. AS 16.05.053 is amended to read:

29 Sec. 16.05.053. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The

1 commissioner of administration shall separately account for money  
2 collected under AS 16.05.050(4), (15), [AND] (16), and (18) [AND] that  
3 the department deposits in the general fund. The annual estimated  
4 balance in each account may be used by the legislature to make appro-  
5 priations to the department to carry out the activities for which fees  
6 have been charged or for which the money was collected.

7 \* Sec. 22. AS 16.10.310(a)(3) is amended to read:

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

11 \* Sec. 23. AS 16.10.310(a) is amended by adding a new paragraph to  
12 read:

13 (9) charge and collect the fees established under this  
14 subsection.

15 \* Sec. 24. AS 16.10 is amended by adding a new section to read:

16 Sec. 16.10.312. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
17 commissioner of administration shall separately account for all fees  
18 and collection charges that the department deposits in the general  
19 fund. The annual estimated balance in the account may be used by the  
20 legislature to make appropriations to the department to carry out the  
21 purposes of AS 16.10.300 - 16.10.370.

22 \* Sec. 25. AS 16.10.320 is amended by adding a new subsection to read:

23 (j) All principal and interest payments, and any money charge-  
24 able to principal or interest that is collected through liquidation by  
25 foreclosure or other process on loans made under AS 16.10.300 - 16.-  
26 10.370, shall be paid into the commercial fishing revolving loan fund.

27 \* Sec. 26. AS 16.10.340 is amended by adding a new subsection to read:

28 (b) Money in the fund may be used by the legislature to make  
29 appropriations for costs of administering AS 16.10.300 - 16.10.370.

1 \* Sec. 27. AS 16.10.505 is amended to read:

2           Sec. 16.10.505.       FISHERIES ENHANCEMENT REVOLVING LOAN FUND.

3 There is created within the Department of Commerce and Economic Devel-  
4 opment a revolving fund to be known as the fisheries enhancement  
5 revolving loan fund. Except as provided in (h) of this section, the  
6 [THE] fund shall be used to carry out the purposes of AS 16.10.500 -  
7 16.10.560 and for no other purpose. All principal and interest pay-  
8 ments, and money chargeable to principal or interest that is collected  
9 through liquidation by foreclosure or other process on loans made  
10 under AS 16.10.500 - 16.10.560, shall be paid into the fisheries  
11 enhancement revolving loan fund.

12 \* Sec. 28. AS 16.10.505 is amended by adding a new subsection to read:

13           (b) Money in the fund may be used by the legislature to make  
14 appropriations for costs of administering AS 16.10.500 - 16.10.560.

15 \* Sec. 29. AS 16.10.510(4) is amended to read:

16           (4) adopt regulations necessary to carry out the provisions  
17 of AS 16.10.500 - 16.10.560, including regulations to establish rea-  
18 sonable fees for services provided [COMMISSIONER'S FUNCTIONS];

19 \* Sec. 30. AS 16.10.510 is amended by adding a new paragraph to read:

20           (11) charge and collect the fees established under this  
21 section.

22 \* Sec. 31. AS 16.10 is amended by adding a new section to read:

23           Sec. 16.10.512. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
24 commissioner of administration shall separately account for all fees  
25 and collection charges that the department deposits in the general  
26 fund. The annual estimated balance in the account may be used by the  
27 legislature to make appropriations to the department to carry out the  
28 purposes of AS 16.10.500 - 16.10.560.

29 \* Sec. 32. AS 17.30.100(c) is amended to read:

1 (c) The Department of Public Safety, [IN COOPERATION WITH OTHER  
2 STATE AND FEDERAL AGENCIES, AND] in accordance with AS 37.07 (the  
3 Executive Budget Act), may apply for and accept money necessary to  
4 exchange information concerning narcotics trafficking between the  
5 states, or otherwise related to the enforcement of AS 11.71 or AS 11.-  
6 73. The commissioner of administration shall separately account for  
7 money received under this subsection that the Department of Public  
8 Safety deposits in the general fund. The annual estimated balance in  
9 the account may be used by the legislature to make appropriations to  
10 the department to carry out the purposes of this section.

11 \* Sec. 33. AS 18.07 is amended by adding a new section to read:

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

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

22 \* Sec. 34. AS 18.20.030 is amended by adding a new subsection to read:

23 (b) The commissioner of administration shall separately account  
24 for fees collected under this section that the department deposits in  
25 the general fund. The annual estimated balance in the account may be  
26 used by the legislature to make appropriations to the department for  
27 the purposes of this chapter.

28 \* Sec. 35. AS 18.55.100(a) is amended by adding new paragraphs to read:

29 (16) charge to and collect fees from owners or developers of

1 low-income housing for the application for and allocation of federal  
2 low-income housing tax credits;

3 (17) collect and pay reasonable fees and charges in connec-  
4 tion with making, purchasing, and servicing its mortgages, loans,  
5 notes, bonds, certificates, commitments, and other evidences of in-  
6 debtedness.

7 \* Sec. 36. AS 18.65 is amended by adding a new section to read:

8 Sec. 18.65.415. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
9 commissioner of administration shall separately account for fees  
10 collected under AS 18.65.410 and 18.65.430 that the Department of  
11 Public Safety deposits in the general fund. The annual estimated  
12 balance in the account may be used by the legislature to make appro-  
13 priations to the department to carry out the purposes of AS 18.65.-  
14 400 - 18.65.490.

15 \* Sec. 37. AS 19.25.010 is amended to read:

16 Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES. A utility  
17 facility may be constructed, placed, or maintained across, along,  
18 over, under, or within a state right-of-way only in accordance with  
19 regulations adopted by the department and if authorized by a written  
20 permit issued by the department. The department may charge a fee for  
21 a permit issued under this subsection.

22 \* Sec. 38. AS 19.25.010 is amended by adding a new subsection to read:

23 (b) The commissioner of administration shall separately account  
24 for utility permit fees that the department deposits in the general  
25 fund. The annual estimated balance in the account may be used by the  
26 legislature to make appropriations to the department to carry out the  
27 purposes of this chapter.

28 \* Sec. 39. AS 19.60.030 is amended to read:

29 Sec. 19.60.030. USE OF FERRY TERMINAL FACILITIES [REGULATIONS].

1 The department may adopt regulations governing the use of ferry termi-  
2 nal facilities by the public that it considers necessary and proper in  
3 the public interest. The department may charge a fee for the use of  
4 ferry terminal facilities, whether the use is under a permit or other-  
5 wise, and whether it is by one or more individuals.

6 \* Sec. 40. AS 19.60.030 is amended by adding a new subsection to read:

7 (b) The commissioner of administration shall separately account  
8 for permit fees and use fees that the department deposits in the  
9 general fund. The annual estimated balance in the account may be used  
10 by the legislature to make appropriations to the department to carry  
11 out the purposes of this chapter.

12 \* Sec. 41. AS 19.65 is amended by adding a new section to read:

13 Sec. 19.65.030. ACCOUNTING FOR AND DISPOSITION OF FEES. The  
14 commissioner of administration shall separately account for all fees  
15 collected by the Department of Transportation and Public Facilities  
16 for the marine highway system under AS 19.05.040(11) and deposited in  
17 the general fund. The annual estimated balance in the account may be  
18 used by the legislature to make appropriations to the Department of  
19 Transportation and Public Facilities for the purposes of the marine  
20 highway system.

21 \* Sec. 42. AS 24.20.050 is amended by adding a new subsection to read:

22 (b) The executive director may establish reasonable fees for  
23 services and materials provided by the Legislative Affairs Agency to  
24 entities outside of the legislative branch of state government and  
25 charges for collecting the fees. All fees and charges collected by  
26 the agency shall be deposited into the general fund. The commissioner  
27 of administration shall separately account for all fees and collection  
28 charges that the agency deposits in the general fund. The annual  
29 estimated balance in the account may be used by the legislature to

1 make appropriations to the agency to carry out the functions of the  
2 agency.

3 \* Sec. 43. AS 26.15.030(a) is amended to read:

4 (a) The Department of Commerce and Economic Development shall  
5 formulate general policies and adopt rules and regulations, including  
6 regulations to establish reasonable fees for services provided.

7 \* Sec. 44. AS 26.15.030(c) is amended to read:

8 (c) The department shall

9 (1) cooperate with the federal government in matters of  
10 mutual concern pertaining to loans to Alaskan veterans;

11 (2) make reports that the federal government may desire;

12 (3) [REPEALED

13 (4)] cooperate with the state and its political subdivi-  
14 sions and agencies;

15 (4) [(5)] adopt regulations necessary for the conduct of  
16 its business and for carrying out the provisions of this chapter, and  
17 make necessary regulations to maintain such standards;

18 (5) [(6)] require bonds and undertakings from persons  
19 employed by it as shall in its judgment be necessary, and pay the  
20 premiums on them;

21 (6) [(7)] establish regional and local offices and advisory  
22 groups that are necessary or considered expedient to carry out or  
23 assist in carrying out its duties and authorities;

24 (7) charge and collect the fees established under this  
25 section.

26 \* Sec. 45. AS 26.15 is amended by adding a new section to read:

27 Sec. 26.15.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
28 commissioner of administration shall separately account for all fees  
29 and collection charges that the Department of Commerce and Economic

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

4 \* Sec. 46. AS 26.15.040(d) is amended to read:

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

16 \* Sec. 47. AS 26.15.090 is amended by adding a new subsection to read:

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

19 \* Sec. 48. AS 27.09.010(b) is amended to read:

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

28 \* Sec. 49. AS 27.09.050 is amended to read:

29 Sec. 27.09.050. REGULATIONS. The department may adopt

1 regulations necessary to carry out the provisions of this chapter,  
2 including regulations to establish reasonable fees for services pro-  
3 vided [IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62)  
4 TO ADMINISTER THIS CHAPTER]. Regulations adopted under this section  
5 shall be prepared after consultation with the Department of Natural  
6 Resources or after consultation with a person who, in the opinion of  
7 the commissioner of commerce and economic development or a designee,  
8 has broad experience in and is highly qualified in advanced mineral  
9 exploration, development, and mining.

10 \* Sec. 50. AS 27.09 is amended by adding a new section to read:

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

17 \* Sec. 51. AS 29.25 is amended by adding a new section to read:

18 Sec. 29.25.075. COLLECTION OF PENALTIES. The court may collect  
19 for a municipality any monetary penalty or item to be forfeited as a  
20 result of the violation of an ordinance. The supreme court may pre-  
21 scribe by rule the fees to be charged by all courts to municipalities  
22 for providing collection services under this section.

23 \* Sec. 52. AS 33.30.041 is amended by adding a new subsection to read:

24 (d) The commissioner of administration shall separately account  
25 for payments received under agreements entered into under this section  
26 that the department deposits in the general fund. The annual esti-  
27 mated balance in the account may be used by the legislature to make  
28 appropriations to the department for the operation of state correc-  
29 tional facilities.

1 \* Sec. 53. AS 33.30.131 is amended by adding a new subsection to read:

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

7 \* Sec. 54. AS 35.10.015 is amended by adding a new subsection to read:

8 (f) The department may establish, by regulation, and collect  
9 reasonable fees for services provided in the course of determining  
10 compliance with regulations adopted under this section. The commis-  
11 sioner of administration shall separately account for fees collected  
12 under this section which the department deposits in the general fund.  
13 The annual estimated balance in the account may be used by the legis-  
14 lature to make appropriations to the department for the purposes of  
15 this chapter.

16 \* Sec. 55. AS 35.10.210 is amended to read:

17 Sec. 35.10.210. USE OF PUBLIC FACILITIES FOR UTILITIES. A  
18 utility facility may be constructed, placed, or maintained across,  
19 along, over, under, or within a state public facility only in accor-  
20 dance with regulations adopted or procedures prescribed by the depart-  
21 ment and only if authorized by a written permit issued by the depart-  
22 ment. The department may charge a fee for a permit issued under this  
23 section. The commissioner of administration shall separately account  
24 for utility permit fees that the department deposits in the general  
25 fund. The annual estimated balance in the account may be used by the  
26 legislature to make appropriations to the department to carry out the  
27 purposes of this chapter.

28 \* Sec. 56. AS 35.10.230 is amended to read:

29 Sec. 35.10.230. ENCROACHMENT PERMITS. An encroachment may be

1 constructed, placed, changed, or maintained across or within a public  
2 facility, but only in accordance with regulations or procedures adopt-  
3 ed by the department. An encroachment may not be constructed, placed,  
4 maintained, or changed until it is authorized by a written permit  
5 issued by the department, unless the department provides otherwise by  
6 regulation. The department may charge a fee for a permit issued under  
7 this section. The commissioner of administration shall separately  
8 account for encroachment permit fees that the department deposits in  
9 the general fund. The annual estimated balance in the account may be  
10 used by the legislature to make appropriations to the department to  
11 carry out the purposes of this chapter.

12 \* Sec. 57. AS 37.10.050(a) is amended to read:

13 (a) A state agency may not charge for the provision of state  
14 services unless the charge is set [AUTHORIZED] by statute or is set by  
15 a regulation that meets the standards of AS 44.62.020 and 44.62.030.  
16 Unless specifically exempted by statute, a state agency authorized to  
17 collect or receive fees, licenses, taxes, or other money belonging to  
18 the state shall account for and remit the receipts, less fees to which  
19 the collector is entitled by statute or regulation, to the Department  
20 of Revenue at least once each month.

21 \* Sec. 58. AS 37.17 is amended by adding a new section to read:

22 Sec. 37.17.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
23 commissioner of administration shall separately account for each gift,  
24 grant, or other aid received under AS 37.17.030(b) that is not desig-  
25 nated to be deposited in the science endowment established under  
26 AS 37.17.020 and that the foundation deposits in the general fund.  
27 The annual estimated balance in the accounts may be used by the legis-  
28 lature to make appropriations to the foundation to carry out the  
29 purposes of this chapter.

1 \* Sec. 59. AS 38.05.035 is amended by adding a new subsection to read:

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

8 \* Sec. 60. AS 38.05.068 is amended by adding a new subsection to read:

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

14 \* Sec. 61. AS 38.05.070 is amended by adding a new subsection to read:

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

20 \* Sec. 62. AS 38.05.082 is amended by adding a new subsection to read:

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

26 \* Sec. 63. AS 38.05.102 is amended to read:

27 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold  
28 created under AS 38.05.070 - 38.05.105 is offered for sale or long-  
29 term lease at the termination of the existing leasehold, the director

1 may, upon a finding that it is in the best interest of the state,  
2 allow the holder in good standing of that leasehold to purchase or  
3 lease the land for its appraised fair market value at the time of the  
4 sale or long-term lease. The commissioner of administration shall  
5 separately account for all fees collected under this section that the  
6 department deposits in the general fund. The annual estimated balance  
7 in the account may be used by the legislature to make appropriations  
8 to the department to carry out the purposes of this section.

9 \* Sec. 64. AS 38.05.120 is amended by adding a new subsection to read:

10 (b) The commissioner of administration shall separately account  
11 for all money collected under this section that the department de-  
12 posits in the general fund. The annual estimated balance in the  
13 account may be used by the legislature to make appropriations to the  
14 department to carry out the purposes of this section, AS 38.05.110,  
15 and AS 41.17.300.

16 \* Sec. 65. AS 38.05.950 is amended by adding a new subsection to read:

17 (c) The commissioner of administration shall separately account  
18 for all fees collected under this section and deposited in the general  
19 fund. The annual estimated balance in the account may be used by the  
20 legislature to make appropriations to the department for the purposes  
21 of administering this chapter.

22 \* Sec. 66. AS 38.35.140(b) is amended to read:

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

1 appropriations to the department to carry out the purposes of this  
2 chapter [SECTION].

3 \* Sec. 67. AS 38.95.240(b) is amended to read:

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

13 \* Sec. 68. AS 38.95.250 is amended by adding a new subsection to read:

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

21 \* Sec. 69. AS 39.25.050 is amended by adding a new subsection to read:

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

25 \* Sec. 70. AS 41.35.045 is amended by adding a new subsection to read:

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

carry out the purposes of this chapter.

1  
2 \* Sec. 71. AS 44.21 is amended by adding a new section to article 1 to  
3 read:

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

10 \* Sec. 72. AS 44.23 is amended by adding new sections to read:

11 Sec. 44.23.023. ACCOUNTING FOR AND DISPOSITION OF MONEY COLLECT-  
12 ED. The commissioner of administration shall separately account for  
13 money collected by the Department of Law, in the performance of its  
14 duties, and deposited in the general fund. The annual estimated bal-  
15 ance in the account may be used by the legislature to make appro-  
16 priations to the Department of Law to carry out its monetary collection  
17 functions.

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

26 \* Sec. 73. AS 44.33.240 is amended by adding a new subsection to read:

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

29 \* Sec. 74. AS 44.33.245(a) is amended to read:

(a) The department may

(1) make loans for the construction, renovation, and equipping of child care facilities, including private nonprofit child care facilities;

(2) adopt regulations necessary to carry out the provisions of AS 44.33.240 - 44.33.275, including regulations to establish reasonable fees for services provided and charges for collecting the fee; and

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

\* Sec. 75. AS 44.33 is amended by adding a new section to read:

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

\* Sec. 76. AS 44.33.255(d) is amended to read:

(d) All principal and interest payments, and any money chargeable to principal or interest that is collected through liquidation by foreclosure or other process on loans made under AS 44.33.240 - 44.33.275, shall be paid into the child care facility revolving loan fund.

\* Sec. 77. AS 44.33.600 is amended by adding a new subsection to read:

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

\* Sec. 3. AS 44.41.020 is amended by adding a new subsection to read:

(c) The Department of Public Safety may operate state housing in support of the department's statutory responsibilities and charge rent

1 consistent with applicable collective bargaining agreements, or, if no  
2 collective bargaining agreement is applicable, competitive with market  
3 conditions. Rent received from tenants shall be deposited in the gen-  
4 eral fund. The commissioner of administration shall separately  
5 account for rent received under the housing program. The annual  
6 estimated balance in the account may be used by the legislature to  
7 make appropriations to the Department of Public Safety to carry out  
8 the residential housing program.

9 \* Sec. 79. AS 44.41 is amended by adding a new section to read:

10 Sec. 44.41.040. CRIMINAL HISTORY FEE. The commissioner of  
11 public safety may establish by regulation and the Department of Public  
12 Safety may charge a reasonable fee to be paid by a person requesting a  
13 criminal history record check or a copy of the person's criminal  
14 history record from confidential files maintained by the department.  
15 The commissioner of administration shall separately account for fees  
16 collected under this section that the Department of Public Safety  
17 deposits in the general fund. The annual estimated balance in the  
18 account may be used by the legislature to make appropriations to the  
19 department to carry out the purposes of this section.

20 \* Sec. 80. AS 44.42.020(b) is amended to read:

21 (b) The department may

22 (1) engage in experimental projects relating to available  
23 or future modes of transportation and any means of improving existing  
24 transportation facilities and service;

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

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

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

4           (5) charge reasonable fees to cover the costs of issuing  
5           easements, licenses, and permits and to cover the costs of reproduc-  
6           tion, printing, mailing, and distribution of contract and bid docu-  
7           ments and design and construction standards manuals;

8           (6) charge and collect fees for training services and  
9           technical assistance provided by department personnel.

10 \* Sec. 81. AS 44.42.025 is amended to read:

11           Sec. 44.42.025. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
12 commissioner of administration shall separately account for money that  
13 derives from the sale of documents under AS 44.42.020(b)(3), rents and  
14 fees received under AS 44.42.020(b)(4) and (5), and the provision of  
15 training services and technical assistance under AS 44.42.020(b)(6),  
16 and that the Department of Transportation and Public Facilities depos-  
17 its in the general fund. The annual estimated balance in the accounts  
18 [ACCOUNT] may be used by the legislature to make appropriations to the  
19 department to carry out the purposes of AS 44.42.020.

20 \* Sec. 82. AS 44.46 is amended by adding a new section to article 1 to  
21 read:

22           Sec. 44.46.025. FEES FOR SERVICES. (a) The department may  
23 adopt regulations that prescribe reasonable fees for services provided  
24 by the department, including fees for services provided under AS 03.-  
25 05, AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020. The depart-  
26 ment shall collect the fees and deposit them in the general fund.

27           (b) The commissioner of administration shall separately account  
28 for service fees collected and deposited in the general fund by the  
29 Department of Environmental Conservation. The annual estimated

1 balance in the account may be used by the legislature to make appro-  
2 priations to the department to carry out its functions under AS 03.05,  
3 AS 17.20, AS 18.35, AS 44.46.020, and AS 46.03.020.

4 \* Sec. 83. AS 44.47.055 is amended to read:

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

15 \* Sec. 84. AS 44.47.380 is amended by adding a new subsection to read:

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

19 \* Sec. 85. AS 44.50.040 is amended by adding a new subsection to read:

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

25 \* Sec. 86. AS 44.83.170 is amended by adding a new subsection to read:

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

28 \* Sec. 87. AS 44.83 is amended by adding a new section to read:

29 Sec. 44.83.215. ACCOUNTING FOR AND DISPOSITION OF MONEY

1 COLLECTED. The commissioner of administration shall separately  
2 account for money collected by the authority under its transmission,  
3 power sales, waste heat, and lease agreements and any other revenue  
4 generated in the performance of the authority's responsibilities and  
5 which is not accounted for under AS 44.83.398. The annual estimated  
6 balance in the accounts may be used by the legislature to make appro-  
7 priations to the authority for the general purposes of this chapter.

8 \* Sec. 88. AS 44.83.361 is amended by adding a new subsection to read:

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

12 \* Sec. 89. AS 44.83.398 is amended by adding a new subsection to read:

13 (j) The commissioner of administration shall separately account  
14 for money collected by the Alaska Power Authority under this section  
15 and deposited in the general fund. The annual estimated balance in  
16 the account may be used by the legislature to make appropriations to  
17 the authority for the purposes of this chapter.

18 \* Sec. 90. AS 45.87.010 is amended by adding a new subsection to read:

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

21 \* Sec. 91. AS 45.87.020(c) is amended to read:

22 (c) Repayments of the principal, the interest, and the money  
23 chargeable to principal or interest that is collected through liquida-  
24 tion by foreclosure or other process on a loan made under this chapter  
25 [FROM THE BULK FUEL REVOLVING LOAN FUND] shall be paid [BY THE COMMIS-  
26 SIONER OF COMMERCE AND ECONOMIC DEVELOPMENT] into the bulk fuel  
27 revolving loan fund.

28 \* Sec. 92. AS 45.87.060 is amended to read:

29 Sec. 45.87.060. REGULATIONS. The department may [SHALL] adopt

1 regulations necessary to carry out the provisions of [TO IMPLEMENT]  
2 this chapter, including regulations to establish reasonable fees for  
3 services provided and charges for collecting the fees.

4 \* Sec. 93. AS 45.87 is amended by adding a new section to read:

5 Sec. 45.87.065. FEES. The department may collect the fees and  
6 collection charges established under AS 45.87.060 and shall deposit  
7 the money in the general fund. The commissioner of administration  
8 shall separately account for all fees and collection charges that the  
9 department deposits in the general fund. The annual estimated balance  
10 in the account may be used by the legislature to make appropriations  
11 to the department to carry out the purposes of this chapter.

12 \* Sec. 94. AS 45.88.010 is amended by adding a new subsection to read:

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

15 \* Sec. 95. AS 45.88.020(a) is amended to read:

16 (a) The department may

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

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

22 (3) collect the fees and collection charges established  
23 under this subsection.

24 \* Sec. 96. AS 45.88 is amended by adding a new section to read:

25 Sec. 45.88.023. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
26 commissioner of administration shall separately account for all fees  
27 and collection charges that the department deposits in the general  
28 fund. The annual estimated balance in the account may be used by the  
29 legislature to make appropriations to the department to carry out the

purposes of this chapter.

1  
2 \* Sec. 97. AS 45.88.030(d) is amended to read:

3 (d) All principal and interest payments, and money chargeable to  
4 principal or interest that is collected through liquidation by fore-  
5 closure or other process on loans made under this chapter, shall be  
6 paid into the alternative energy revolving loan fund.

7 \* Sec. 98. AS 45.89.010 is amended by adding a new subsection to read:

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

10 \* Sec. 99. AS 45.89.030(h) is amended to read:

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

16 \* Sec. 100. AS 45.89.070 is amended to read:

17 Sec. 45.89.070. REGULATIONS. The department shall adopt regu-  
18 lations necessary to carry out the provisions of [IMPLEMENT] this  
19 chapter, including regulations to establish reasonable fees for ser-  
20 vices provided and charges for collecting the fees.

21 \* Sec. 101. AS 45.89 is amended by adding a new section to read:

22 Sec. 45.89.075. FEES. The department may collect the fees and  
23 collection charges established under AS 45.89.070. The commissioner  
24 of administration shall separately account for all fees and collection  
25 charges that the department deposits in the general fund. The annual  
26 estimated balance in the account may be used by the legislature to  
27 make appropriations to the department to carry out the purposes of  
28 this chapter.

29 \* Sec. 102. AS 45.90.010 is amended to read:

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

7 \* Sec. 103.  AS 45.90.010 is amended by adding a new subsection to read:

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

10 \* Sec. 104.  AS 45.90.020(a) is amended to read:

11           (a) The department may

12                   (1) make loans to a business directly involved in the  
13 tourist industry;

14                   (2) designate agents and delegate powers to them as is  
15 necessary;

16                   (3) adopt rules and regulations necessary to carry out its  
17 functions, including regulations to establish reasonable fees for  
18 services provided and charges for collecting the fees;

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

21                   (5) collect the fees and collection charges established  
22 under this subsection.

23 \* Sec. 105.  AS 45.90 is amended by adding a new section to read:

24           Sec. 45.90.023.  ACCOUNTING FOR AND DISPOSITION OF RECEIPTS.  The  
25 commissioner of administration shall separately account for all fees  
26 and collection charges that the department deposits in the general  
27 fund.  The annual estimated balance in the account may be used by the  
28 legislature to make appropriations to the department to carry out the  
29 purposes of this chapter.

1 \* Sec. 106. AS 45.95.010(a) is amended to read:

2 (a) The Department of Commerce and Economic Development shall  
3 formulate general policies and adopt regulations necessary to carry  
4 out the provisions of this chapter, including regulations to establish  
5 fees for services provided and charges for collecting the fees. The  
6 department may collect the fees and collection charges established.  
7 The commissioner of administration shall separately account for all  
8 fees and collection charges that the department deposits in the gen-  
9 eral fund. The annual estimated balance in the account may be used by  
10 the legislature to make appropriations to the department to carry out  
11 the purposes of this chapter.

12 \* Sec. 107. AS 45.95.020(d) is amended to read:

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

23 \* Sec. 108. AS 45.95.060 is amended by adding a new subsection to read:

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

26 \* Sec. 109. AS 45.98.010 is amended to read:

27 Sec. 45.98.010. CREATION OF HISTORICAL DISTRICT REVOLVING LOAN  
28 FUND. There is created in the Department of Commerce and Economic  
29 Development a historical district revolving loan fund. All principal

1 and interest payments, and money chargeable to principal or interest  
2 that is collected through liquidation by foreclosure or other process  
3 on loans made under this chapter, shall be paid into the historical  
4 district revolving loan fund.

5 \* Sec. 110. AS 45.98.010 is amended by adding a new subsection to read:

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

8 \* Sec. 111. AS 45.98.030 is amended to read:

9 Sec. 45.98.030. POWERS AND DUTIES OF THE DEPARTMENT. For  
10 purposes of administering this chapter, the Department of Commerce and  
11 Economic Development may

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

14 (2) designate agents and delegate powers to them as is  
15 necessary;

16 (3) in consultation with the Historic Sites Advisory Com-  
17 mittee, adopt regulations necessary to carry out its functions,  
18 including regulations for the process of plan approval by the commit-  
19 tee and regulations to establish reasonable fees for services provided  
20 and charges for collecting the fees;

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

23 (5) collect the fees and collection charges established  
24 under this section.

25 \* Sec. 112. AS 45.98 is amended by adding a new section to read:

26 Sec. 45.98.035. ACCOUNTING FOR AND DISPOSITION OF RECEIPTS. The  
27 commissioner of administration shall separately account for all fees  
28 and collection charges that the department deposits in the general  
29 fund. The annual estimated balance in the account may be used by the

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

3 \* Sec. 113. AS 47.05.070 is amended by adding a new subsection to read:

4 (e) The commissioner of administration shall separately account  
5 for third-party collections that the department deposits in the gener-  
6 al fund. The annual estimated balance in the account may be used by  
7 the legislature to make appropriations to the department to carry out  
8 the purposes of AS 47.07.

9 \* Sec. 114. AS 47.05 is amended by adding a new section to read:

10 Sec. 47.05.080. RETENTION OF OVERPAYMENTS COLLECTED. (a)  
11 Benefit overpayments collected by the department in administering  
12 programs under AS 47.25.120 - 47.25.300 (general relief), AS 47.25.-  
13 310 - 47.25.420 (aid to families with dependent children), AS 47.25.-  
14 430 - 47.25.615 (adult public assistance), and AS 47.25.975 - 47.25.-  
15 990 (food stamps) shall be remitted to the Department of Revenue under  
16 AS 37.10.050(a).

17 (b) The commissioner of administration shall separately account  
18 for overpayment collections that the department deposits in the gener-  
19 al fund. The annual estimated balance in the account may be used by  
20 the legislature to make appropriations to the department for costs of  
21 administering the programs listed in (a) of this section.

22 \* Sec. 115. Notwithstanding AS 37.10.050(a), as amended by sec. 1, ch.  
23 138, SLA 1986, a fee charged by an agency under a regulation that was  
24 adopted before July 1, 1987, under authority of a statute that does not  
25 expressly authorize a charge for a service, is valid if it would have been  
26 valid before the 1986 amendment of AS 37.10.050(a). The regulation and fee  
27 remain in effect, and the agency may charge for the service, until the  
28 regulation is repealed or amended by the agency. To amend the regulation  
29 to change the fee, the agency shall meet the standard of AS 37.10.050(a) as

1 amended by sec. 57 of this Act.

2 \* Sec. 116. AS 37.05.500(a)(1), 37.05.500(a)(4), 37.05.500(a)(6);  
3 AS 44.83.195(c); AS 46.03.020(12) and 46.03.025 are repealed.

4 \* Sec. 117. Section 115 of this Act, dealing with fees charged under a  
5 regulation adopted before July 1, 1987, is retroactive to July 1, 1987.

6 \* Sec. 118. This Act takes effect immediately under AS 01.10.070(c).  
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STATE OF ALASKA  
THE LEGISLATURE

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


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 11, 1989

SUBJECT: CSHB 85(SA) - ~~Version "H"~~ - Program Receipts

TO: Representative H.A. "Red" Boucher  
Chair, House State Affairs Committee

FROM: David R. Dierdorff   
Revisor of Statutes

Enclosed is the second version of a draft CS for HB 85, requested for you by Dennis Burns. This version ~~deletes all substantive changes proposed by the governor that have the effect of diluting or eliminating statutory limits with respect to certain fees or charges.~~ It retains the "centralized" approach of CSHB 85(SA) version "E" to program receipts.

The sections of CSHB 85(SA) version "E" that were deleted or modified for this version are:

~~Secs. 8 and 9, relating to bank examinations.~~

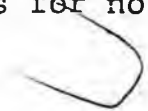
Sec. 12, relating to fees for new cooperatives.

Sec. 13, relating to fees for cooperatives, was modified and two provisions relating to cooperatives (AS 10.15.535 and 10.15.540) were removed from the repealer in sec. 97. Two bill sections amending those two provisions to delete references to repealed AS 10.05.773 should have been added to CSHB 85(SA), ~~version "H" and will be if you decide to follow the substantive approach of this version.~~

Secs. 40 and 41, relating to hospital licenses and renewals.

Secs. 43 and 44, relating to security guard licenses and renewals.

Sec. 72, relating to fees for notary public commissions.



Representative H.A. "Red" Boucher

Page 2

February 11, 1989

Sec. 97, the repealer section, was also modified by eliminating the repeal of AS 42.05.661, setting an application fee for certificates of public convenience and necessity.

If you would like to see a draft CS that retains the "decentralized" approach of HB 85 to program receipts, but deletes those provisions making substantive changes related to fees set by statute, or other statutory limits on fees, I would be happy to prepare it for your consideration.

DRD:gc  
WKG7/020

Enclosure

go0019HH  
Dierdorff  
2/10/89

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 85 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the financial administration of  
7 state government; the provision of and charges for  
8 state services; and the accounting for and disposi-  
9 tion of state receipts; and providing for an effec-  
10 tive date."

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

12 \* Section 1. AS 37.05 is amended by adding new sections to read:

13 Sec. 37.05.142. ACCOUNTING FOR PROGRAM RECEIPTS. The Department  
14 of Administration shall establish and maintain separate accounts by  
15 program source for all program receipts that state agencies deposit  
16 under AS 37.10.050 or under another statute if the program receipts  
17 are exempted by law from the deposit requirements of AS 37.10.050.

18 Sec. 37.05.144. APPROPRIATIONS BASED UPON PROGRAM RECEIPTS. The  
19 annual estimated balance in each account maintained under AS 37.07.142  
20 may be used by the legislature to make appropriations to state  
21 agencies to administer the programs generating the program receipts,  
22 to implement the laws related to the functions generating the program  
23 receipts, or to cover costs associated with the collection of the  
24 program receipts.

25 Sec. 37.05.146. DEFINITION OF PROGRAM RECEIPTS. In AS 37.05.-  
26 142 - 37.05.146 and AS 37.07.080 "program receipts" means fees,  
27 charges, income earned on assets, and other state money received by a  
28 state agency in connection with the performance of its functions; all  
29 program receipts except the following are general fund program

## receipts:

1 ~~(1) federal receipts;~~

2 (2) University of Alaska receipts (AS 14.40.491);

3 (3) receipts of the following funds:

4 (A) highway working capital fund (AS 44.74.010);

5 (B) correctional industries fund (AS 33.32.020);

6 (C) loan funds;

7 (D) international airport revenue fund (AS 37.15.430);

8 (E) funds managed by the Alaska State Building Author-  
9 ity (AS 18.55.020), the Alaska Housing Finance Corporation  
10 (AS 18.56.020), the Medical Indemnity Corporation of Alaska  
11 (AS 21.88.020), the Alaska Railroad Corporation (AS 42.40.010),  
12 the Municipal Bond Bank Authority (AS 44.85.020), or the Alaska  
13 Industrial Development and Export Authority (AS 44.88.020);

14 (F) fish and game fund (AS 16.05.100);

15 (G) school fund (AS 43.50.140);

16 (H) training and building fund (AS 23.20.130);

17 (I) retirement funds (AS 14.25, AS 22.25, AS 26.-  
18 05.222, AS 39.35, and former AS 39.37);

19 (J) permanent fund (art. IX, sec. 15, Alaska Constitu-  
20 tion);

21 (K) public school fund (AS 37.14.110);

22 (L) second injury fund (AS 23.30.040);

23 (M) fishermen's fund (AS 23.35.060);

24 (N) FICA administration fund (AS 39.30.050).

25 \* Sec. 2. AS 37.10.050(a) is amended to read:

26 (a) A state agency may not charge for the provision of state  
27 services unless the charge is set [AUTHORIZED] by statute or is set by  
28 a regulation that meets the standards of AS 44.62.020 and 44.62.030.

1 Unless specifically exempted by statute, a state agency authorized to  
2 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  
4 the collector is entitled by statute or regulation, to the Department  
5 of Revenue at least once each month. The commissioner of administra-  
6 tion shall separately account under AS 37.05.142 for receipts depo-  
7 sited under this subsection.

8 \* Sec. 3. AS 02.15.090(a) is amended to read:

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

25 \* ~~Sec. 4.~~ AS 02.15.102 is amended to read:

26 Sec. 02.15.102. USE OF AIRPORTS FOR UTILITIES. A utility  
27 facility may be constructed, placed, or maintained across, along,  
28 over, under, or within a state airport only in accordance with regula-  
29 tions adopted or procedures prescribed by the department and only if

authorized by a written permit issued by the department. ~~The department may charge a fee for a permit issued under this section.~~

\* ~~Sec. 5.~~ AS 02.15.106 is amended to read:

Sec. 02.15.106. ENCROACHMENT PERMITS. An encroachment may be constructed, placed, changed, or maintained across or within an airport, but only in accordance with regulations or procedures adopted by the department. An encroachment may not be constructed, placed, maintained, or changed until it is authorized by a written permit issued by the department, unless the department provides otherwise by regulation. ~~The department may charge a fee for a permit issued under this section.~~

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\* ~~Sec. 6.~~ AS 03.10.020(a) is amended to read:

(a) The department may

(1) make a loan to

(A) an individual resident farmer, homesteader, or a partnership or corporation composed of farmers and homesteaders for

(i) clearing land for agricultural purposes;

(ii) development of farms;

(iii) storage and processing of farm produce; or

(iv) the purchase of livestock or machinery;

(B) an individual state resident, or a partnership or corporation for

(i) storage and processing plants for agricultural products;

(ii) the commercial production or processing of horticultural products in the state;

(iii) the commercial production or processing of animal feed in the state; or

(iv) the raising or care of animals in the state for the purpose of marketing their fur;

(2) designate agents and delegate its powers to them as necessary;

(3) adopt [RULES AND] regulations necessary to carry out its functions, including regulations to establish reasonable fees for services provided and charges for collecting the fees;

(4) establish amortization plans for repayment of loans, which may include delayed payments of principal and interest for not to exceed five years;

(5) enter into agreements with private lending institutions, other state agencies or agencies of the federal government, to carry out the purposes of this chapter;

(6) collect the fees and collection charges established under this subsection.

Sec 7

\* ~~Sec. 7.~~ AS 03.10.040 is amended by adding a new subsection to read:

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

Sec 13

~~Sec. 8.~~ AS 10.15.255 is amended to read:

Sec. 8 - Sec. 10

Sec. 10.15.255. TERMINATION OF RECORDED CONTRACT. When a contract recorded under AS 10.15.230 - 10.15.260 has been terminated in any manner, the cooperative shall upon demand [,] give a statement of termination to the member party to the contract, who may record the statement in the office of the recorder where the contract was originally recorded. The recorder shall stamp "expired" after the name of the member in the alphabetical record. The fee for the recording and stamping shall be established by the department by regulation [SUBJECT TO AS 10.05.773].

→ Sec 11

\* ~~Sec. 9.~~ AS 10.15.260 is amended to read:

Sec 14

1           Sec. 10.15.260.   RECORDING OF LIST OF TERMINATED CONTRACTS.  A  
2 cooperative may record in the office of the recorder where the con-  
3 tract was originally recorded a sworn list of the names of all persons  
4 whose contracts have been terminated in a manner other than by expira-  
5 tion of their term.  The recorder shall stamp "expired" after the name  
6 of each of those persons in the alphabetical record.  The fee for the  
7 recording and stamping shall be established by the department by  
8 regulation [SUBJECT TO AS 10.05.773].

9           ~~Sec. 10.~~ AS 10.15.545 is amended to read:

10 Sec. 16

11           Sec. 10.15.545.   LICENSE FEE FOR COOPERATIVE WITHOUT CAPITAL  
12 STOCK.  The license fee of each cooperative having no authorized  
13 shares of capital stock shall be established by the department by  
14 regulation [SUBJECT TO AS 10.05.773].

15 Sec. 17

16           Sec. 11. AS 10.15.555 is amended to read:

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

20                   (1) articles of incorporation or articles of consolidation  
21 for a new cooperative;

22                   (2) articles of amendment, restated articles, or articles  
23 of merger [, AND, IF THE ARTICLES PROVIDE FOR AN INCREASE OF THE  
24 AMOUNT OF AUTHORIZED CAPITAL STOCK OF THE COOPERATIVE, THE FILING  
25 COOPERATIVE SHALL ALSO PAY THE PROPORTIONATE PART OF THE ANNUAL LI-  
26 CENSE FEE FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR, PAYABLE BY A  
27 COOPERATIVE WHOSE AUTHORIZED SHARES EQUAL THE NEWLY INCREASED AU-  
28 THORIZED SHARES OF THE FILING COOPERATIVE, LESS THE ANNUAL LICENSE FEE  
29 ALREADY PAID FOR THE SUCCEEDING FRACTION OF THE FISCAL YEAR BY THE  
FILING COOPERATIVE; BUT FILING ARTICLES DECREASING THE AUTHORIZED  
SHARES DO NOT REDUCE THE ANNUAL LICENSE FEE OF THE FILING COOPERATIVE

UNTIL THE BEGINNING OF THE FISCAL YEAR FOLLOWING THAT IN WHICH THE ARTICLES WERE FILED];

(3) statement of intent to dissolve;

(4) statement of revocation of voluntary dissolution proceedings;

(5) articles of dissolution;

(6) all other statements.

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

\* Sec. 12. AS 10.20.530 is amended to read:

Sec. 10.20.530. SERVICE ON COMMISSIONER. When a foreign corporation authorized to transact business in the state, or not authorized to transact business in the state but doing so, fails to appoint or maintain a registered agent in the state, or when a registered agent cannot with reasonable diligence be found at the registered office, or when the certificate of authority of a foreign corporation is suspended or revoked, the commissioner is an agent upon whom process, notice, or demand may be served. Service on the commissioner shall be made by delivering to and leaving with the commissioner, or a designee in the corporation division of the department, duplicate copies of the process, notice or demand, accompanied by a fee established by the department by regulation [SUBJECT TO AS 10.05.773]. The commissioner shall immediately have one copy forwarded by registered or certified mail, addressed to the corporation at its principal office in the

1 state or country under whose laws it is incorporated. Service on the  
2 commissioner is returnable in not less than 30 days.

3 SCC.18  
4 \* Sec. 13. AS 10.20.635 is amended to read:

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

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

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

12 (3) [FILING] restated articles of incorporation and issuing  
13 a restated certificate of incorporation;

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

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

18 (6) [FILING] articles of dissolution;

19 (7) [FILING] an application of a foreign corporation for a  
20 certificate of authority to conduct affairs in this state and issuing  
21 a certificate of authority;

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

25 (9) [FILING] a copy of an amendment to the articles of  
26 incorporation of a foreign corporation holding a certificate of au-  
27 thority to conduct affairs in this state;

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

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

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

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

11 \* Sec. 14. AS 10.20.640 is amended to read:

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

15 \* Sec. 15. AS 10.25.530(a) is amended to read:

16 Sec. 10.25.530. FEES. (a) The commissioner shall establish by  
17 regulation [SUBJECT TO AS 10.05.773], charge, and collect [FILING]  
18 fees for

- 19 (1) filing articles of incorporation;
- 20 (2) filing articles of amendment;
- 21 (3) filing articles of consolidation or merger;
- 22 (4) filing articles of conversion;
- 23 (5) filing certificate of election to dissolve;
- 24 (6) filing articles of dissolution;
- 25 (7) filing certificate of change of principal office and  
26 designation or change of registered office and registered agent; and
- 27 (8) acting as agent for service of process.

28 \* Sec. 16. AS 10.25.530(b) is amended to read:

29 (b) The department may by regulation charge each cooperative

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

SEC 27

\* Sec. 17. AS 10.35.060 is amended to read:

6 Sec. 10.35.060. FEE FOR AND DURATION OF REGISTERED NAME. The  
 7 fee for the initial registration of a business name shall be estab-  
 8 lished by the department by regulation [SUBJECT TO AS 10.05.773]. The  
 9 year in which the registration becomes effective is considered a full  
 10 year of registration and the registration is effective until the close  
 11 of the fifth calendar year beginning with the year of initial regis-  
 12 tration.

SEC 23

\* Sec. 18. AS 10.35.070 is amended to read:

13 Sec. 10.35.070. RENEWAL OF REGISTERED NAME. A registered  
 14 business name may be renewed every five years if an application for  
 15 renewal is filed. An application for renewal must set out the facts  
 16 required in an original application for registration and be accom-  
 17 panied by a renewal fee to be established by the department by regula-  
 18 tion [SUBJECT TO AS 10.05.773]. An application for renewal may be  
 19 filed between October 1 and December 31 of any year. The renewal of  
 20 the registration extends the registration for the following five  
 21 calendar years.

SEC 24

\* Sec. 19. AS 10.40.140(a) is amended to read:

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

\* Sec. 20. AS 12.55.105(a) is amended to read:

26 Sec. 12.55.105. PROBATION AND URINALYSIS FEES [FEE]. (a) A  
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1 court granting probation shall require a periodic probation fee to be  
2 paid to the Department of Corrections as a condition of probation. In  
3 addition, the department may charge a fee for any urinalysis that may  
4 be required. The fee amounts [AMOUNT] shall be established by regula-  
5 tion adopted by the commissioner of corrections.

6 SCC.26 \* Sec. 21. AS 14.07.030 is amended to read:

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

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

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

13 (3) provide for citizenship night schools when and where  
14 expedient;

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

17 (5) prescribe a classification for items of expense of  
18 school districts;

19 (6) acquire and transfer personal property, acquire real  
20 property, and transfer real property to federal agencies, state  
21 agencies, or to political subdivisions;

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

28 (8) provide for the issuance of elementary and secondary  
29 diplomas to persons not in school who have completed the equivalent of

1 an 8th or 12th grade education, respectively, in accordance with  
2 standards established by the department;

3 (9) exercise disapproval power under AS 14.08.101;

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

7 (11) set student tuition and fees for educational and extra-  
8 curricular programs and services provided and schools operated by the  
9 department under the provisions of [AS 14.07.020(12) AND] (1) of this  
10 and AS 14.07.020(9), (11), and (12);

11 (12) charge fees to cover the costs of care and handling  
12 with respect to the acquisition, warehousing, distribution, or trans-  
13 fer of donated foods;

14 (13) establish and collect fees for the rental of school  
15 facilities and for other programs and services provided by the  
16 schools.

17 SEC. 28  
\* Sec. 22. AS 14.56.030(10) is amended to read:

18 (10) establishing and charging fees for reproduction, [OR]  
19 printing, and handling costs, [AND] for mailing and distributing state  
20 publications and research data, and for other services authorized by  
21 this chapter;

22 SEC. 30  
\* Sec. 23. AS 14.57.010 is amended by adding a new subsection to read:

23 (c) The department may establish by regulation, and collect,  
24 reasonable user fees and other fees for services provided by the  
25 department under this chapter.

26 SEC. 32  
\* Sec. 24. AS 15.60 is amended by adding a new section to read:

27 Sec. 15.60.007. SALE OF VOTER REGISTRATION AND ELECTION MANAGE-  
28 MENT SOFTWARE. The director may sell voter registration and election  
29 management system data processing software. Receipts generated

through the sales shall be deposited in the general fund.

\* Sec. 25. AS 16.05.050(16) is amended to read:

(16) to establish and charge fees equal to the cost of services provided by the department, including provision of public shooting ranges, broodstock and eggs for private nonprofit hatcheries, department publications, and other direct services, and reasonable fees for the use of state facilities managed by the department;

SEC. 35  
\* Sec. 26. AS 16.05.050 is amended by adding a new paragraph to read:

(18) to operate state housing and facilities for employees, contractors, and others in support of the department's responsibilities and to charge rent that is consistent with any applicable collective bargaining agreement, or, if no collective bargaining agreement is applicable, competitive with market conditions; rent received from tenants shall be deposited in the general fund.

SEC. 37  
\* Sec. 27. AS 16.10.310(a)(3) is amended to read:

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

SEC. 38  
\* Sec. 28. AS 16.10.310(a) is amended by adding a new paragraph to read:

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

SEC. 40  
\* Sec. 29. AS 16.10.320 is amended by adding a new subsection to read:

(j) All principal and interest payments, and any money chargeable to principal or interest that is collected through liquidation by foreclosure or other process on loans made under AS 16.10.300 - 16.10.370, shall be paid into the commercial fishing revolving loan fund.

\* Sec. 30. AS 16.10.340 is amended by adding a new subsection to read:

(b) Money in the fund may be used by the legislature to make

appropriations for costs of administering AS 16.10.300 - 16.10.370.

SEC. 42

\* Sec. 31. AS 16.10.505 is amended to read:

Sec. 16.10.505. FISHERIES ENHANCEMENT REVOLVING LOAN FUND.

There is created within the Department of Commerce and Economic Development a revolving fund to be known as the fisheries enhancement revolving loan fund. Except as provided in (b) of this section, the [THE] fund shall be used to carry out the purposes of AS 16.10.500 - 16.10.560 and for no other purpose. All principal and interest payments, and money chargeable to principal or interest that is collected through liquidation by foreclosure or other process on loans made under AS 16.10.500 - 16.10.560, shall be paid into the fisheries enhancement revolving loan fund.

SEC. 43

\* Sec. 32. AS 16.10.505 is amended by adding a new subsection to read:

(b) Money in the fund may be used by the legislature to make

appropriations for costs of administering AS 16.10.500 - 16.10.560.

SEC. 44

\* Sec. 33. AS 16.10.510(4) is amended to read:

(4) adopt regulations necessary to carry out the provisions of AS 16.10.500 - 16.10.560, including regulations to establish reasonable fees for services provided [COMMISSIONER'S FUNCTIONS];

SEC. 45

\* Sec. 34. AS 16.10.510 is amended by adding a new paragraph to read:

(11) charge and collect the fees established under this

section.

SEC. 47

\* Sec. 35. AS 17.30.100(c) is amended to read:

(c) The Department of Public Safety, [IN COOPERATION WITH OTHER STATE AND FEDERAL AGENCIES, AND] in accordance with AS 37.07 (the Executive Budget Act), may apply for and accept money necessary to exchange information concerning narcotics trafficking between the states, or otherwise related to the enforcement of AS 11.71 or AS 11.73. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR

1 MONEY RECEIVED UNDER THIS SUBSECTION THAT THE DEPARTMENT OF PUBLIC  
2 SAFETY DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE IN  
3 THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS TO  
4 THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS SECTION.]

SCC 48

\* Sec. 36. AS 18.07 is amended by adding a new section to read:

5 Sec. 18.07.035. APPLICATION AND FEES. Application for a cer-  
6 tificate of need shall be made to the department upon a form provided  
7 by the department and must contain the information the department  
8 requires to reach a decision under AS 18.07.041 - 18.07.111. Each  
9 application for a certificate of need must be accompanied by an appli-  
10 cation fee established by the department by regulation.

SCC 52

\* Sec. 37. AS 18.55.100(a) is amended by adding new paragraphs to read:

11 (16) charge to and collect fees from owners or developers of  
12 low-income housing for the application for and allocation of federal  
13 low-income housing tax credits;

14 (17) collect and pay reasonable fees and charges in connec-  
15 tion with making, purchasing, and servicing its mortgages, loans,  
16 notes, bonds, certificates, commitments, and other evidences of in-  
17 debtedness.

SCC 56

\* Sec. 38. AS 19.25.010 is amended to read:

18 Sec. 19.25.010. USE OF RIGHTS-OF-WAY FOR UTILITIES. A utility  
19 facility may be constructed, placed, or maintained across, along,  
20 over, under, or within a state right-of-way only in accordance with  
21 regulations adopted by the department and if authorized by a written  
22 permit issued by the department. The department may charge a fee for  
23 a permit issued under this section.

SCC 57

\* Sec. 39. AS 19.60.030 is amended to read:

24 Sec. 19.60.030. USE OF FERRY TERMINAL FACILITIES [REGULATIONS].  
25 The department may adopt regulations governing the use of ferry  
26

terminal facilities by the public that it considers necessary and proper in the public interest. The department may charge a fee for the use of ferry terminal facilities, whether the use is under a permit or otherwise, and whether it is by one or more individuals.

SEC. 59

Sec. 40. AS 24.20.050 is amended by adding a new subsection to read:

(b) ~~The executive director~~ may establish reasonable fees for services and materials provided by the Legislative Affairs Agency to entities outside of the legislative branch of state government and charges for collecting the fees. All fees and charges collected by the agency shall be deposited into the general fund.

SEC. 60

Sec. 41. AS 26.15.030(a) is amended to read:

(a) The Department of Commerce and Economic Development shall formulate general policies and adopt rules and regulations, including regulations to establish reasonable fees for services provided.

SEC. 61

Sec. 42. AS 26.15.030(c) is amended to read:

(c) The department shall

(1) cooperate with the federal government in matters of mutual concern pertaining to loans to Alaskan veterans;

(2) make reports that the federal government may desire;

(3) [REPEALED

(4)] cooperate with the state and its political subdivisions and agencies;

(4) [(5)] adopt regulations necessary for the conduct of its business and for carrying out the provisions of this chapter, and make necessary regulations to maintain such standards;

(5) [(6)] require bonds and undertakings from persons employed by it as shall in its judgment be necessary, and pay the premiums on them;

(6) [(7)] establish regional and local offices and advisory

1 groups that are necessary or considered expedient to carry out or  
2 assist in carrying out its duties and authorities;

3 (7) charge and collect the fees established under this  
4 section.

5 \* Sec. 43. AS 26.15.040(d) is amended to read:

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

17 \* Sec. 44. AS 26.15.090 is amended by adding a new subsection to read:

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

20 \* Sec. 45. AS 27.09.010(b) is amended to read:

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

29 \* Sec. 46. AS 27.09.050 is amended to read:

SEC. 66

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

SEC. 68

11      \* Sec. 47.   AS 29.25 is amended by adding a new section to read:

12           Sec. 29.25.075.   COLLECTION OF PENALTIES.   The court may collect  
 13           for a municipality any monetary penalty or item to be forfeited as a  
 14           result of the violation of an ordinance.   The supreme court may pre-  
 15           scribe by rule the fees to be charged by all courts to municipalities  
 16           for providing collection services under this section.

SEC. 71

17      \* Sec. 48.   AS 35.10.015 is amended by adding a new subsection to read:

18           (f)   The department may establish by regulation, and collect  
 19           reasonable fees for services provided in the course of determining  
 20           compliance with regulations adopted under this section.

SEC. 72

21      \* Sec. 49.   AS 35.10.210 is amended to read:

22           Sec. 35.10.210.   USE OF PUBLIC FACILITIES FOR UTILITIES.   A  
 23           utility facility may be constructed, placed, or maintained across,  
 24           along, over, under, or within a state public facility only in accor-  
 25           dance with regulations adopted or procedures prescribed by the depart-  
 26           ment and only if authorized by a written permit issued by the depart-  
 27           ment.   The department may charge a fee for a permit issued under this  
 28           section.

SEC. 73

29      \* Sec. 50.   AS 35.10.230 is amended to read:

1           Sec. 35.10.230.   ENCROACHMENT PERMITS.   An encroachment may be  
 2 constructed, placed, changed, or maintained across or within a public  
 3 facility, but only in accordance with regulations or procedures adopt-  
 4 ed by the department.   An encroachment may not be constructed, placed,  
 5 maintained, or changed until it is authorized by a written permit  
 6 issued by the department, unless the department provides otherwise by  
 7 regulation.   The department may charge a fee for a permit issued under  
 8 this section.

SEC. 83

\* Sec. 51. AS 38.35.140(b) is amended to read:

9           (b) The lessee shall reimburse the state for all reasonable  
 10 costs incurred in processing an application filed under AS 38.35.050  
 11 and in monitoring the construction of the pipeline on the right-of-  
 12 way. [THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY ACCOUNT FOR  
 13 MONEY RECEIVED UNDER THIS SUBSECTION THAT THE DEPARTMENT OF NATURAL  
 14 RESOURCES DEPOSITS IN THE GENERAL FUND. THE ANNUAL ESTIMATED BALANCE  
 15 IN THE ACCOUNT MAY BE USED BY THE LEGISLATURE TO MAKE APPROPRIATIONS  
 16 TO THE DEPARTMENT TO CARRY OUT THE PURPOSES OF THIS SECTION.]

SEC. 85

\* Sec. 52. AS 38.95.250 is amended by adding a new subsection to read:

17           (b) All money collected under (a) of this section not required  
 18 to be kept in the escheated real property trust account shall be  
 19 deposited in the general fund.

SEC. 86

\* Sec. 53. AS 39.25.050 is amended by adding a new subsection to read:

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

SEC. 89

\* Sec. 54. AS 44.23 is amended by adding a new section to read:

23           Sec. 44.23.025.   DEPARTMENT HOUSING.   The Department of Law may  
 24 operate state housing in support of its statutory responsibilities and  
 25 may charge rent consistent with an applicable collective bargaining  
 26