

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: HB 14
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB014-DEC-FSS-03-06-15
Title: BAN PLASTIC MICROBEADS IN COSMETICS
Sponsor: JOSEPHSON
Requester: House Resources Committee

Department: Department of Environmental Conservation
Appropriation: Environmental Health
Allocation: Food Safety & Sanitation
OMB Component Number: 2343

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2016	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personal Services	295.6		354.7	354.7	354.7	354.7	354.7
Travel	18.0		18.0	18.0	18.0	18.0	18.0
Services	52.7		26.3	26.3	26.3	26.3	26.3
Commodities	35.0		4.0	4.0	4.0	4.0	4.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	401.3	0.0	403.0	403.0	403.0	403.0	403.0

Fund Source (Operating Only)

1004 Gen Fund	401.3		403.0	253.0	253.0	253.0	253.0
1005 GF/Prgm				150.0	150.0	150.0	150.0
Total	401.3	0.0	403.0	403.0	403.0	403.0	403.0

Positions

Full-time	4.0		4.0	4.0	4.0	4.0	4.0
Part-time							
Temporary							

Change in Revenues

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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 250.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/18

Why this fiscal note differs from previous version:

Not applicable, initial version.

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Agency: Department of Environmental Conservation

Phone: (907)269-7644
Date: 03/06/2015 12:00 PM
Date: 03/06/15

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. HB 14

Analysis

Analysis/Assumptions:

This bill would ban the manufacture, sale, or offering for sale of cosmetics that contain synthetic plastic microbeads. "Synthetic plastic microbeads" mean intentionally added, non-biodegradable, solid plastic particles that measure less than five millimeters in size intended for use to exfoliate or cleanse in a cosmetic, lotion, or personal care product as an exfoliating agent or for smoother application of a liquid. The bill is intended to address pollution from plastic microbeads entering the environment from domestic wastewater sources. Similar bills have been introduced in other states.

HB 14 amends the enabling act for the Food Safety and Sanitation (FSS) program and changes the program's current public health and consumer protection scope to include environmental protection, requiring new regulation of cosmetics. Although AS 17.20 includes an article that provides FSS authority to enforce Alaska Statutes that define adulterated and misbranded cosmetic products, the existing statutes very clearly only address public health and consumer protection relative to cosmetics and exist to allow FSS to address complaints or concerns. Since these provisions became effective in 1949, they have never been amended and no specific resources have ever been allocated to the FSS program to develop regulations or otherwise establish a program specific to cosmetics.

This bill will require the creation of a new Cosmetics Enforcement group to permit, inspect, and provide technical assistance and outreach to manufacturers and retailers of cosmetic products in Alaska.

Funds are required in FY16 to hire staff and begin regulation development. Technical outreach and operator education activities will be conducted during FY16 and FY17. FSS expects to be able to collect permit fees in FY18 for the estimated 2,200 operators requiring permits under this law.

Personal Services: The proposed legislation will require four new FTEs. An Environmental Health Officer III and two Environmental Health Officer II's will be responsible for inspection and compliance enforcement activities. An Environmental Health Technician will provide support, process permit applications, and provide technical assistance to operators.

The positions are budgeted for ten months in the first year to allow for classification and recruitment time, and 12 months each year after.

Travel: Travel costs include in-state trips to complete facility inspections to ensure compliance.

Services: Contractual costs include an RSA with the Department of Law for regulation updates in FY16 and for contractual assistance in outreach development.

Commodities: Estimated costs include new employee start up costs in FY16 and routine office supply costs in FY17-FY21.

Capital: A permitting and product database is required to track product manufacturers, complaints, permit holders, etc.