

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSHB 123(L&C)
Fiscal Note Number:	2
(H) Publish Date:	3/30/2015

Identifier: HB123-DOA-OAH-02-27-15
Title: ESTABLISH MARIJUANA CONTROL BOARD
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: House Labor & Commerce

Department: Department of Administration
Appropriation: Centralized Administrative Services
Allocation: Office of Administrative Hearings
OMB Component Number: 2771

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							
Travel							
Services	10.0		20.0	20.0	20.0	20.0	20.0
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	10.0	0.0	20.0	20.0	20.0	20.0	20.0

Fund Source (Operating Only)

1007 I/A Rcpts	10.0		20.0	20.0	20.0	20.0	20.0
Total	10.0	0.0	20.0	20.0	20.0	20.0	20.0

Positions

Full-time							
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: 0.0 (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? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Christopher Kennedy, Deputy Chief Administrative Law Judge
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Approved By: Sheldon Fisher, Commissioner
Agency: Department of Administration

Phone: (907)269-8170
Date: 02/27/2015 02:00 PM
Date: 02/27/15

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

This bill would create a Marijuana Control Board housed within the Alcoholic Beverage Control Board agency. The board would be appointed by the Governor and would have the authority to regulate marijuana cultivation, transportation, production, and sale.

Section 3 of the bill provides that the board shall hear appeals from actions of its director and actions of officers and employees charged with enforcing AS 17.38 and the board's regulations. Although the bill is not specific in this regard, the Office of Administrative Hearings (OAH) is informed that the intent is that OAH would conduct these hearings, as it does for many other regulatory boards including the Alcoholic Beverage Control Board.

OAH estimates that the cost of conducting these hearings would be approximately equivalent to the present cost of conducting the hearings relating to alcoholic beverage licenses as directed in AS 44.64.030(a)(1). In FY 16, that cost has been \$5.0 per quarter.

OAH is presently operating at or beyond capacity. The additional hearing load of this work alone would not support the creation of a new full-time administrative law judge position. In the absence of a new PCN, OAH will instead contract out hearing responsibilities to contractors as appropriate.