

# FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

Bill Version HB258  
Fiscal Note Number \_\_\_\_\_  
Publish Date \_\_\_\_\_

Identifier (file name)	HB258CS-DOT-STWD-3-22-12	Dept. Affected	DOT&PF
Title	Naturally Occurring Asbestos	Appropriation	Design, Engineering & Construction
		Allocation	Stwd Design & Engineering Services
Sponsor	Representative Joule		
Requester	H (FIN)	OMB Component Number	2357

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY13	FY13	FY14	FY15	FY16
<b>OPERATING EXPENDITURES</b>							
Personal Services	117.6		117.6	117.6	117.6	117.6	117.6
Travel	15.0		15.0	10.0	10.0	5.0	5.0
Services	50.0		52.5	52.5	2.5	2.5	2.5
Commodities	7.5		0.5	0.5	0.5	0.5	0.5
Capital Outlay							
Grants, Benefits							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>190.1</b>	<b>0.0</b>	<b>185.6</b>	<b>180.6</b>	<b>130.6</b>	<b>125.6</b>	<b>125.6</b>

FUND SOURCE (Thousands of Dollars)							
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
<b>TOTAL</b>	<b>190.1</b>	<b>0.0</b>	<b>185.6</b>	<b>180.6</b>	<b>130.6</b>	<b>125.6</b>	<b>125.6</b>

POSITIONS							
Full-time	1.0		1	1	1	1	1
Part-time							
Temporary							

CHANGE IN REVENUES							

**Estimated SUPPLEMENTAL (FY12) operating costs** \_\_\_\_\_ (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY13) costs** \_\_\_\_\_ (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Initial version	

Prepared by	Brenda Hewitt, Legislative Liaison	Phone 465-4772
Division	Department of Transportation and Public Facilities	Date/Time 3/22/12 2:56 PM
Approved by	Marc Luiken	Date 3/22/2012
	Commissioner	

## FISCAL NOTE

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BILL NO. HB258

### Analysis

This act requires the Department of Transportation and Public Facilities (DOT&PF) to develop and implement standards on a project-by-project basis for the use of gravel containing naturally occurring asbestos (NOA) when there is no economically reasonable alternative source of "clean" gravel. The Department is also required to develop testing methodologies and procedures for indemnification.

Additionally, DOT&PF is to approve private contractor plans for the use of naturally occurring asbestos in construction projects in Alaska. DOT&PF will only approve the plans. Liability rests with the contractor to comply with the DOT&PF plan if they seek future immunity, under certain circumstances, from illnesses that may arise from worker exposure to limited amounts of naturally occurring asbestos. The bill refers to the retention of testing records that DOT&PF presumes will be recorded with the property deed.

The Department will hire an Engineer/Architect I to oversee contractors, work with other departments on the development of regulations, policies, procedures and laboratory methodology as well review project plans to insure they are in compliance with appropriate policies, standards and that all applicable analysis is also in compliance with the newly developed analytical methodologies. Travel is necessary to attend meetings, work with other agencies, laboratories and consultants and travel to sites as necessary. (\$15.0)

The initial set up costs for a new staff is \$7.5. Ongoing costs of \$2.5 for core departmental services and \$0.5 for supplies.

The Department will contract with technical and regulatory consultants with NOA expertise to develop the standards, procedures, and testing methodologies (\$50.0/year for FYs 13, 14, 15). The Department assumes all NOA testing will be done by the contractors or material site owners.

#### First Year

##### Personal Services

Salary and benefits for Engineer/Architect I range 22	117.6
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##### Travel

##### Services

Consultants (NOA specialists)	15.0
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##### Commodities

7.5
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<u>TOTAL first year</u>	\$190.1
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