

# Fiscal Note

State of Alaska  
2021 Legislative Session

Bill Version: HB 85  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB085-DEC-SPAR-04-02-2021  
Title: FINANCIAL INSTITUTIONS; LIABILITY  
Sponsor: LEBON BY REQUEST  
Requester: (H) Labor & Commerce

Department: Department of Environmental Conservation  
Appropriation: Spill Prevention and Response  
Allocation: Spill Prevention and Response  
OMB Component Number: 3094

**Expenditures/Revenues**

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

	FY2022	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2022 Request	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
<b>OPERATING EXPENDITURES</b>	<b>FY 2022</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	<b>0.0</b>	***	***	***	***	***

**Fund Source (Operating Only)**

None							
<b>Total</b>	***	<b>0.0</b>	***	***	***	***	***

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2021) cost:** 0.0 *(separate supplemental appropriation required)*

**Estimated CAPITAL (FY2022) cost:** 0.0 *(separate capital appropriation required)*

**Does the bill create or modify a new fund or account?** No  
*(Supplemental/Capital/New Fund - 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If yes, by what date are the regulations to be adopted, amended or repealed?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/comments:**

Not applicable, initial version based on the Governor's FY2022 budget request.

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Division:	Commissioner's Office	Date:	04/02/2021 01:00 PM
Approved By:	Ruth Kostik, Administrative Services Director	Date:	04/02/21
Agency:	Office of Management and Budget		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2021 LEGISLATIVE SESSION

BILL NO. HB 85

**Analysis**

The bill creates liability exemptions for lenders who foreclose on contaminated properties.

The bill limits the Department's ability to require a lender to contain and respond to contamination on foreclosed properties. Since a lender would not be required to clean up or contain contamination, there could be a risk that the property could become more contaminated, or contamination may spread and affect adjacent properties. If it became necessary to act to contain and clean-up the contamination, the Department would not be able to recover costs from the lender.

It is unclear how many current or future contaminated sites might be effected by the exemptions in the bill. As a result, the Department's expenditures and loss of recovery cannot be determined.