

HOUSE BILL NO. 416

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/12/96

Referred: State Affairs, Labor and Commerce, Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fees or assessment of costs for certain services provided by
2 state government, including hearing costs related to the real estate surety fund;
3 fees for authorization to operate a postsecondary educational institution or for
4 an agent's permit to perform services for a postsecondary educational institution;
5 administrative fees for self-insurers in workers' compensation; business license
6 fees; fees for activities related to coastal zone management, training relating to
7 emergency management response, regulation of pesticides and broadcast
8 chemicals, and subdivision plans for sewage waste disposal or treatment; and
9 providing for an effective date."

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

11 * Section 1. AS 08.88.472(a) is amended to read:

12 (a) The [WHEN AN AWARD IS MADE FROM THE REAL ESTATE

1 SURETY FUND UNDER AS 08.88.470, THE] commission may charge to the **real**
2 **estate surety** fund the costs of a hearing **on a claim for reimbursement** held under
3 **AS 08.88.465** [AS 08.88.071 OR 08.88.465]. **The commission shall deposit into the**
4 **real estate surety fund amounts** [AMOUNTS SUBSEQUENTLY] recovered [BY
5 THE COMMISSION] for these costs from the licensee under AS 08.88.071(b) or from
6 other parties under AS 08.88.490 [SHALL BE DEPOSITED TO THE REAL ESTATE
7 SURETY FUND].

8 * **Sec. 2.** AS 14.48.090 is repealed and reenacted to read:

9 Sec. 14.48.090. FEES. The commission shall adopt regulations that establish
10 the amount and manner of payment of application fees, authorization or permit fees,
11 renewal fees, investigation fees, and all other fees as appropriate for the authorization
12 to operate under AS 14.48.070 and the agent's permit for services under AS 14.48.080.

13 * **Sec. 3.** AS 18.80.060(b) is amended to read:

14 (b) In addition to other powers and duties prescribed by this chapter, the
15 commission may

16 (1) delegate to the executive director all powers and duties given it by
17 this chapter except the duties and powers given it by AS 18.80.120 and 18.80.130;

18 (2) call upon the departments and agencies of the state, with the
19 approval of the governor, for cooperation and assistance in carrying out this chapter;

20 (3) hold hearings under AS 18.80.120;

21 **(4) establish the amount and manner of payment of fees for**
22 **education and training services and information and materials that the**
23 **commission provides to public and private organizations and other persons.**

24 * **Sec. 4.** AS 23.30.090 is amended by adding new subsections to read:

25 (b) An employer authorized as a self-insurer, except the State of Alaska, shall
26 pay to the department, for administrative services provided by the department, a fee
27 of four percent of the total amount reported in the report filed by the employer under
28 AS 23.30.155(m) for the preceding calendar year. The board shall adopt regulations
29 establishing the procedures for payment of the fee under this subsection. The
30 department shall transfer the fees collected under this subsection to the Department of
31 Revenue for deposit in the state treasury.

1 (c) In this section, “total amount reported” means the total of all temporary
2 total disability payments; temporary partial disability payments; permanent partial
3 disability payments; permanent partial impairment payments; permanent total disability
4 payments; medical benefits; reemployment benefits; death benefits; attorney fees;
5 litigation costs; penalties; interest; and other payments paid by the employer and
6 reported in the employer's annual report filed under AS 23.30.155(m).

7 * **Sec. 5.** AS 43.70.030(a) is amended to read:

8 (a) The license fee for each business is **\$75 for a two-year period** [\$25 PER
9 YEAR].

10 * **Sec. 6.** AS 44.19.145(a)(11) is amended to read:

11 (11) render, on behalf of the state, all federal consistency
12 determinations and certifications authorized by 16 U.S.C. 1456 (Sec. 307, Coastal Zone
13 Management Act of 1972), and each conclusive state consistency determination when
14 a project requires a permit, lease, or authorization from two or more state resource
15 agencies; **the office may adopt regulations to charge fees for services provided**
16 **under this paragraph.**

17 * **Sec. 7.** AS 44.35.040 is amended to read:

18 Sec. 44.35.040. FEES FOR CERTAIN TRAINING. The Department of Military
19 and Veterans' Affairs may adopt regulations establishing reasonable fees for training
20 provided by the department to persons relating to **emergency management response.**
21 **Regulations adopted under this section must establish** [THE TRANSPORTATION,
22 STORAGE, OR OTHER MANAGEMENT OF HAZARDOUS SUBSTANCES, AND
23 ESTABLISHING] procedures for the collection of the fees.

24 * **Sec. 8.** AS 44.46.025(a) is amended to read:

25 (a) The Department of Environmental Conservation may adopt regulations that
26 prescribe reasonable fees, and establish procedures for the collection of the fees, to
27 cover the applicable direct costs, not including travel, of inspections, permit
28 preparation and administration, plan review and approval, and other services provided
29 by the department relating to

30 (1) agriculture and animals under AS 03.05; food, drugs, and cosmetics
31 under AS 17.20; and public accommodations and facilities under AS 18.35;

1 (2) certificates of inspection for motor vehicles under AS 46.14.400 or
2 46.14.510;

3 (3) sewerage system and treatment works and wastewater disposal
4 systems, and drinking water systems, under AS 46.03.720;

5 (4) [REPEALED

6 (5) REPEALED

7 (6)] water and wastewater operator training under AS 46.30;

8 (5) [(7)] control of solid waste facilities under AS 46.03.020(10) and
9 46.03.100;

10 (6) [(8)] certification of laboratories conducting environmental analyses
11 of public drinking water systems or of oil or hazardous substances, or conducting other
12 analyses required by the department;

13 (7) [(9)] certification of federal permits or authorizations under 33
14 U.S.C. 1341, sec. 401 (Clean Water Act);

15 (8) regulation of pesticides and broadcast chemicals under
16 AS 46.03.320 and 46.03.330;

17 (9) subdivision plans for sewage waste disposal or treatment
18 submitted under AS 46.03.090.

19 * **Sec. 9.** TRANSITIONAL PROVISION: ADOPTION OF REGULATIONS. The state
20 agencies affected by this Act may proceed to adopt regulations necessary to implement the
21 changes made by secs. 2 - 8 of this Act, respectively. The regulations take effect under
22 AS 44.62 (Administrative Procedure Act), but not before the respective effective dates of
23 secs. 2 - 8 of this Act.

24 * **Sec. 10.** TRANSITIONAL PROVISION: TEMPORARY FEE SCHEDULE FOR
25 CERTAIN ACTIVITIES RELATED TO POSTSECONDARY EDUCATIONAL
26 INSTITUTIONS AND AGENTS. Until a new fee schedule is adopted by regulation to
27 implement the changes made by sec. 2 of this Act, the Alaska Commission on Postsecondary
28 Education, or its successor state agency, may charge the fees set out in the following schedule
29 for an authorization to operate an institution in this state and for an agent's permit related to
30 activities for postsecondary educational institutions:

31 (1) authorization to operate \$100;

- 1 (2) renewal of authorization to
2 operate \$100;
3 (3) an agent's permit \$ 50;
4 (4) renewal of an agent's permit \$ 50.
- 5 * **Sec. 11.** Section 9 of this Act takes effect immediately under AS 01.10.070(c).
6 * **Sec. 12.** Sections 1 - 3, 6 - 8, and 10 of this Act take effect July 1, 1996.
7 * **Sec. 13.** Sections 4 and 5 of this Act take effect January 1, 1997.