

CS FOR HOUSE BILL NO. 416(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/24/96

Referred: Resources, Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

**1 "An Act relating to fees or assessment of costs for certain services provided
2 by state government, including hearing costs related to the real estate surety
3 fund, fees for authorization to operate a postsecondary educational institution or
4 for an agent's permit to perform services for a postsecondary educational
5 institution, fees of the State Commission on Human Rights, administrative fees
6 for self-insurers in workers' compensation, fees for evaluating or auditing
7 applications for exploration incentive credits, motor vehicle registration fees, fees
8 for the use of state marine and harbor facilities, business license fees, fees for
9 activities related to coastal zone management, fees for training relating to
10 management of hazardous substances and emergency management response, fees
11 for regulation of pesticides and broadcast chemicals, and fees for subdivision
12 plans for sewage waste disposal or treatment; and providing for an effective**

1 date."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** LEGISLATIVE PURPOSE. It is the purpose of the legislature in increasing
4 motor vehicle registration fees under secs. 10 - 12 of this Act to make additional money
5 available for state troopers. It is expected that the fee increase will result in additional
6 revenue to the state totaling at least \$700,000 annually. Therefore, the legislature intends to
7 annually appropriate at least \$700,000 of the amount the state receives from motor vehicle
8 registration fees to the Department of Public Safety for state troopers.

9 * **Sec. 2.** AS 08.88.472(a) is amended to read:

10 (a) The [WHEN AN AWARD IS MADE FROM THE REAL ESTATE
11 SURETY FUND UNDER AS 08.88.470, THE] commission may charge to the real
12 estate surety fund the costs of a hearing on a claim for reimbursement held under
13 AS 08.88.465. The commission shall deposit into the real estate surety fund
14 amounts [AS 08.88.071 OR 08.88.465. AMOUNTS SUBSEQUENTLY] recovered
15 [BY THE COMMISSION] for these costs from the licensee under AS 08.88.071(b) or
16 from other parties under AS 08.88.490 [SHALL BE DEPOSITED TO THE REAL
17 ESTATE SURETY FUND].

18 * **Sec. 3.** AS 14.48.090 is repealed and reenacted to read:

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

23 * **Sec. 4.** AS 18.80.060(b) is amended to read:

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

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

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

30 (3) hold hearings under AS 18.80.120;

1 (4) establish the amount and manner of payment of fees for
2 education and training services and information and materials that the
3 commission provides to public and private organizations and other persons.

4 * **Sec. 5.** AS 23.30.090 is amended by adding new subsections to read:

5 (b) An employer authorized as a self-insurer, except the state and political
6 subdivisions of the state, shall pay to the department, for administrative services
7 provided by the department, a fee of four percent of the total amount reported in the
8 report filed by the employer under AS 23.30.155(m) for the preceding calendar year.
9 The board shall adopt regulations establishing the procedures for payment of the fee
10 under this subsection. The department shall transfer the fees collected under this
11 subsection to the Department of Revenue for deposit in the state treasury.

12 (c) In this section, “total amount reported” means the total of all temporary
13 total disability payments, temporary partial disability payments, permanent partial
14 disability payments, permanent partial impairment payments, permanent total disability
15 payments, medical benefits, reemployment benefits, death benefits, attorney fees,
16 litigation costs, penalties, interest, and other payments paid by the employer and
17 reported in the employer's annual report filed under AS 23.30.155(m).

18 * **Sec. 6.** AS 27.30 is amended by adding a new section to read:

19 Sec. 27.30.095. FEES. The commissioner may charge a fee for direct costs
20 incurred by the department in evaluating or auditing an application to certify the credit
21 authorized under AS 27.30.010, including the cost of contractors selected by the
22 commissioner to assist in the evaluation or audit. The fee may not exceed \$500 for
23 each application covering one or more years if the amount claimed in the application
24 is \$1,000,000 or less. The fee may not exceed \$1,000 for each application covering
25 one or more years if the amount claimed is more than \$1,000,000.

26 * **Sec. 7.** AS 28.10.021 is amended by adding a new subsection to read:

27 (d) The department shall establish procedures that allow a person who renews
28 registration for a commercial or noncommercial vehicle to renew registration by mail
29 to obtain the fee reduction under AS 28.10.421(a).

30 * **Sec. 8.** AS 28.10.108(b) is amended to read:

31 (b) Subject to the provisions of (f) of this section, a vehicle subject to

1 registration

2 (1) under AS 28.10.011 and 28.10.421(b)(3) and (4) and (c)(1) - (4)
3 shall have its initial registration, and may have its annual registration, renewed during
4 the month of December;

5 (2) under AS 28.10.181, 28.10.411 and 28.10.421(d)(3) and ~~(8)~~ [(9)]
6 shall have its initial registration, and may have its annual registration, renewed during
7 the month of January.

8 * **Sec. 9.** AS 28.10.421(a) is amended to read:

9 (a) Unless otherwise provided by law,

10 (1) the fees prescribed in this section shall be paid to the department
11 at the times provided under AS 28.10.108 and 28.10.111; and

12 (2) [AN ADDITIONAL FEE OF \$10 SHALL BE ADDED TO] the
13 registration fee set out in this section **shall be reduced by \$5 when** [FOR] registration
14 **is** [NOT] conducted by mail **and may be reduced by \$5 when registration is**
15 **conducted by electronic transmission** [; THE DEPARTMENT MAY WAIVE THIS
16 ADDITIONAL FEE FOR A GOOD CAUSE BASED ON CRITERIA ESTABLISHED
17 IN REGULATIONS ADOPTED BY THE DEPARTMENT].

18 * **Sec. 10.** AS 28.10.421(b) is amended to read:

19 (b) The annual registration fees under this subsection are imposed within the
20 following classifications for:

21 (1) a passenger vehicle or motor home not used or maintained for the
22 transportation of persons or property for hire or for other commercial use

23 **\$40** [\$35];

24 (2) a pick-up truck or a van not exceeding 6,000 pounds unladen
25 weight and not used or maintained for the transportation of persons or property for hire
26 or for other commercial use **\$45** [\$40];

27 (3) a taxicab **\$75** [\$70];

28 (4) a motor bus with a seating capacity for 20 or more persons and
29 used exclusively for commercial purposes in the transporting of visitors or tourists
30 **\$90** [\$85];

31 (5) a motorcycle or a motor-driven cycle **\$25** [\$20];

1 (6) a trailer not used or maintained for the transportation of persons
2 or property for hire or for other commercial use, including, but not limited to, a boat
3 trailer, baggage trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer
4 rented or offered for rent \$10 [\$ 5].

5 * **Sec. 11.** AS 28.10.421(c) is amended to read:

6 (c) The annual registration fees under this subsection are imposed and are
7 based upon the actual unladen weight as established by the manufacturer’s advertised
8 weight or upon the actual weight which the owner shall furnish, subject to the approval
9 of the commissioner or the commissioner’s representative, for a vehicle, including a
10 motor vehicle pulling a trailer or semi-trailer, that is registered in the name of a
11 company or business, or is used or maintained for the transportation of passengers for
12 hire, excepting taxicabs and buses under (b) of this section, or for the transportation
13 of property for hire or for other commercial purposes, including a trailer, semi-trailer,
14 truck, wrecker, tow car, hearse, ambulance, and tractor, as follows:

- 15 (1) up to and including 5,000 pounds \$56 [\$51];
- 16 (2) more than 5,000 pounds to and including 12,000 pounds
17 \$91 [\$86];
- 18 (3) more than 12,000 pounds to and including 18,000 pounds
19 \$161 [\$156];
- 20 (4) more than 18,000 pounds \$226 [\$221].

21 * **Sec. 12.** AS 28.10.421(d) is amended to read:

22 (d) The special registration fees under this subsection are imposed annually,
23 unless otherwise specified, for:

- 24 (1) an historic vehicle (one time only upon initial registration under
25 AS 28.10.181) \$10;
- 26 (2) special request plates for
 - 27 (A) Alaska National Guard personnel \$30;
 - 28 (B) veterans or retired veterans \$30;
 - 29 (C) recipients of the Purple Heart \$30;
 - 30 (D) owners of custom collector vehicles \$50;
 - 31 (E) other special request plates \$30;

1 plus the fee required for that vehicle under (b) of this section; the fee required
2 by this paragraph shall be collected only on the first issuance and on the
3 replacement of special request plates;

4 (3) a vehicle owned by a disabled veteran or other handicapped person,
5 and registered under AS 28.10.181 or a resident 65 years of age or older who files a
6 written application for an exemption on a form prescribed by the department

7 none;

8 (4) a vehicle owned by the state none;

9 (5) a vehicle owned by an elected state official the fee
10 required for that vehicle under (b) of this section;

11 (6) [REPEALED

12 (7)] a vehicle owned by a rancher, farmer, or dairyman and registered
13 under AS 28.10.181 **\$40** [\$35];

14 (7) [(8)] a snowmobile or off-highway vehicle **\$10** [\$ 5];

15 (8) [(9)] an amateur mobile radio station vehicle,
16 (A) with a transceiver capable of less than 5-band operation
17 . . . the fee required for that vehicle under (b) or (c) of this section;

18 (B) in recognition of service to the public: a mobile amateur
19 radio station owned by an amateur with general class or higher license,
20 provided the station must be satisfactorily proved capable of operating on at
21 least five bands from 160 through 10 meters, must have an antenna, and must
22 have a power supply and wiring as a permanent part of the vehicle; the
23 transmitting unit may be removed from the car for service or dry storage . . .

24 none
25 for a mobile amateur radio station vehicle included in (b)(1) or (2) of this
26 section;

27 (9) [(10)] dealer registration plates,

28 (A) the initial set of plates **\$50** [\$45];

29 (B) each subsequent set of plates **\$30** [\$25];

30 (10) [(11)] a vehicle owned by a municipality or charitable organization
31 meeting the requirements of AS 28.10.181(e) **\$10** [\$ 5];

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[(12) REPEALED]

(11) [(13)] a vehicle owned by a Pearl Harbor survivor or a former prisoner of war none;

(12) [(14) REPEALED

(15)] special request university plates \$50 plus the fee required for that vehicle under (b)(1) or (2) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates; the commissioner of administration shall separately account by university campus designation for the fees received under this paragraph that the department deposits in the general fund; the annual estimated balance in the accounts that is in excess of the cost of issuing special request university plates may be appropriated by the legislature for the support of programs at each campus.

* **Sec. 13.** AS 28.10.431(b)(7) is amended to read:

(7) vehicles specified 66 55 44 33 22 17 11 8

in AS 28.10.421(d)(8) [AS 28.10.421(d)(9)]

* **Sec. 14.** AS 28.10.431(b)(9) is amended to read:

(9) vehicles eligible for 44

dealer plates under AS 28.10.421(d)(9)

[AS 28.10.421(d)(10)].

* **Sec. 15.** AS 28.10.431(h) is amended to read:

(h) A vehicle owned by a former prisoner of war exempted from registration fees under AS 28.10.431(d)(11) [AS 28.10.421(d)(13)] is subject to a motor vehicle registration tax under this section.

* **Sec. 16.** AS 35.10 is amended by adding a new section to article 2 to read:

Sec. 35.10.121. MARINE AND HARBOR FACILITY FEES. (a) The department may establish fees, by regulation, for the use of state marine or harbor facilities that provide for all reasonable costs of management, operation, maintenance, and replacement of those facilities.

(b) A municipality that leases a state marine or harbor facility under AS 35.10.120 shall, by ordinance and in accordance with the lease, establish and collect reasonable fees for the use of those facilities. At minimum, the fees may not

1 be less than the fees established by the department for that type of facility under (a)
2 of this section. The municipality shall establish, by ordinance, a separate account into
3 which those fees shall be deposited. The municipality shall disburse money from the
4 account in accordance with the lease and applicable law.

5 * **Sec. 17.** AS 43.70.030(a) is amended to read:

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

8 * **Sec. 18.** AS 44.19.145(a)(11) is amended to read:

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

15 * **Sec. 19.** AS 44.35.040 is amended to read:

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

22 * **Sec. 20.** AS 44.46.025(a) is amended to read:

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

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

30 (2) certificates of inspection for motor vehicles under AS 46.14.400 or
31 46.14.510;

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

3 (4) [REPEALED

4 (5) REPEALED

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

6 (5) [(7)] control of solid waste facilities under AS 46.03.020(10) and
7 46.03.100;

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

11 (7) [(9)] certification of federal permits or authorizations under 33
12 U.S.C. 1341, sec. 401 (Clean Water Act);

13 (8) regulation of pesticides and broadcast chemicals under
14 AS 46.03.320 and 46.03.330;

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

17 * **Sec. 21.** TRANSITIONAL PROVISION: ADOPTION OF REGULATIONS. The state
18 agencies affected by this Act may proceed to adopt regulations necessary to implement the
19 changes made by secs. 3 - 6 and 16 - 20 of this Act, respectively. The regulations take effect
20 under AS 44.62 (Administrative Procedure Act), but not before the respective effective dates
21 of secs. 3 - 6 and 16 - 20 of this Act.

22 * **Sec. 22.** TRANSITIONAL PROVISION: TEMPORARY FEE SCHEDULE FOR
23 CERTAIN ACTIVITIES RELATED TO POSTSECONDARY EDUCATIONAL
24 INSTITUTIONS AND AGENTS. Until a new fee schedule is adopted by regulation to
25 implement the changes made by sec. 3 of this Act, the Alaska Commission on Postsecondary
26 Education, or its successor state agency, may charge the fees set out in the following schedule
27 for an authorization to operate an institution in this state and for an agent's permit related to
28 activities for postsecondary educational institutions:

29 (1) authorization to operate \$100;

30 (2) renewal of authorization to
31 operate \$100;

1 (3) an agent's permit \$ 50;

2 (4) renewal of an agent's permit \$ 50.

3 * **Sec. 23.** Section 21 of this Act takes effect immediately under AS 01.10.070(c).

4 * **Sec. 24.** Sections 1 - 4, 6 - 16, 18 - 20, and 22 of this Act take effect July 1, 1996.

5 * **Sec. 25.** Sections 5 and 17 of this Act take effect January 1, 1997.