

**CS FOR SENATE BILL NO. 216(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 5/2/96  
Referred: Rules

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

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to fees, assessments, and costs for certain functions of state  
2 or municipal 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 relating to applications for  
7 exploration incentive credits, charges to prisoners, marine and harbor facility use  
8 fees, business license fees, fees for training relating to management of hazardous  
9 substances and emergency management response, fees for regulation of pesticides  
10 and broadcast chemicals; and subdivision plans for sewage waste disposal or  
11 treatment; relating to a tax exemption; and providing for an effective date."

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

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

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

10 \* **Sec. 2.** AS 14.48.090 is repealed and reenacted to read:

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

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

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

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

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

22 (3) hold hearings under AS 18.80.120;

23 (4) **establish the amount and manner of payment of fees for**  
24 **services, information, and materials that the commission provides to public and**  
25 **private organizations and other persons.**

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

27 (b) An employer authorized as a self-insurer, except the state, a municipality,  
28 a municipal school district, or a regional educational attendance area shall pay to the  
29 department, for administrative services provided by the department, a fee of four  
30 percent of the total amount reported in the report filed by the employer under  
31 AS 23.30.155(m) for the preceding calendar year. The board shall adopt regulations

1 establishing the procedures for payment of the fee under this subsection. The  
2 department shall transfer the fees collected under this subsection to the Department of  
3 Revenue for deposit in the state treasury.

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

10 \* **Sec. 5.** AS 27.30 is amended by adding a new section to read:

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

18 \* **Sec. 6.** AS 29.35 is amended by adding a new section to read:

19 Sec. 29.35.085. COSTS OF PRISONERS. A municipality may charge a  
20 prisoner in a municipal facility for room, board, and personal expenses of the prisoner,  
21 subject to the ability of the prisoner to pay the charge. A charge imposed under this  
22 section may not exceed \$70 per day.

23 \* **Sec. 7.** AS 35.10 is amended by adding a new section to article 2 to read:

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

28 (b) A municipality that leases a state marine or harbor facility under  
29 AS 35.10.120 may, by ordinance and in accordance with the lease, establish and  
30 collect reasonable fees for the use of those facilities. The municipality shall establish,  
31 by ordinance, a separate account into which those fees shall be deposited. The

1 municipality shall disburse money from the account in accordance with the lease and  
2 applicable law.

3 \* **Sec. 8.** AS 43.40.015(d) is amended to read:

4 (d) A certificate of use is not required

5 (1) for fuel exempted under AS 43.40.100(2)(C) [, (F),] or (K); and

6 (2) for fuel exempted under AS 43.40.100(2)(J) other than fuel sold or  
7 transferred under this exemption to a person who is engaged in construction or mining  
8 activity.

9 \* **Sec. 9.** AS 43.70.030(a) is amended to read:

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

12 \* **Sec. 10.** AS 44.35.040 is amended to read:

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

19 \* **Sec. 11.** AS 44.46.025(a) is amended to read:

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

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

27 (2) certificates of inspection for motor vehicles under AS 46.14.400 or  
28 46.14.510;

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

31 (4) [REPEALED

- 1 (5) REPEALED
- 2 (6)] water and wastewater operator training under AS 46.30;
- 3 (5) [(7)] control of solid waste facilities under AS 46.03.020(10) and
- 4 46.03.100;
- 5 (6) [(8)] certification of laboratories conducting environmental analyses
- 6 of public drinking water systems or of oil or hazardous substances, or conducting other
- 7 analyses required by the department;
- 8 (7) [(9)] certification of federal permits or authorizations under 33
- 9 U.S.C. 1341, sec. 401 (Clean Water Act);
- 10 (8) regulation of pesticides and broadcast chemicals under
- 11 AS 46.03.320 and 46.03.330;
- 12 (9) subdivision plans outside of an organized borough or
- 13 municipality for sewage waste disposal or treatment submitted under
- 14 AS 46.03.090; the fees authorized by this subsection may not be levied for review
- 15 of subdivisions being divided into four lots or less where each lot is at least one
- 16 acre in size.

17 \* **Sec. 12.** AS 43.40.100(2)(F) is repealed.

18 \* **Sec. 13.** TRANSITIONAL PROVISION: ADOPTION OF REGULATIONS. The state  
 19 agencies affected by this Act may proceed to adopt regulations necessary to implement the  
 20 changes made by secs. 2 - 5, 7, and 9 - 11 of this Act, respectively. The regulations take  
 21 effect under AS 44.62 (Administrative Procedure Act), but not before the respective effective  
 22 dates of secs. 2 - 5, 7, and 9 - 11 of this Act.

23 \* **Sec. 14.** TRANSITIONAL PROVISION: TEMPORARY FEE SCHEDULE FOR  
 24 CERTAIN ACTIVITIES RELATED TO POSTSECONDARY EDUCATIONAL  
 25 INSTITUTIONS AND AGENTS. Until a new fee schedule is adopted by regulation to  
 26 implement the changes made by sec. 2 of this Act, the Alaska Commission on Postsecondary  
 27 Education, or its successor state agency, may charge the fees set out in the following schedule  
 28 for an authorization to operate an institution in this state and for an agent's permit related to  
 29 activities for postsecondary educational institutions:

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

