

CS FOR SENATE BILL NO. 216(FIN)(title am)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 5/2/96
Offered: 5/2/96

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 fuel tax exemption; and providing for an effective
12 date."

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

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

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

11 * **Sec. 2.** AS 14.48.090 is repealed and reenacted to read:

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

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

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

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

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

23 (3) hold hearings under AS 18.80.120;

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

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

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

1 AS 23.30.155(m) for the preceding calendar year. The board shall adopt regulations
2 establishing the procedures for payment of the fee under this subsection. The
3 department shall transfer the fees collected under this subsection to the Department of
4 Revenue for deposit in the state treasury.

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

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

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

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

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

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

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

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

1 by ordinance, a separate account into which those fees shall be deposited. The
2 municipality shall disburse money from the account in accordance with the lease and
3 applicable law.

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

5 (d) A certificate of use is not required

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

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

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

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

13 * **Sec. 10.** AS 44.35.040 is amended to read:

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

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

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

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

28 (2) certificates of inspection for motor vehicles under AS 46.14.400 or
29 46.14.510;

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

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

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

19 * **Sec. 13.** 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 - 5, 7, and 9 - 11 of this Act, respectively. The regulations take
22 effect under AS 44.62 (Administrative Procedure Act), but not before the respective effective
23 dates of secs. 2 - 5, 7, and 9 - 11 of this Act.

24 * **Sec. 14.** 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;

