

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

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 5/6/96

Referred: Today's Calendar

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11 * **Sec. 2.** AS 14.48.090 is repealed and reenacted to read: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 a new subsection 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 \$100 fee.

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

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

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

9 Sec. 29.35.085. COSTS OF PRISONERS. A municipality may charge a
10 prisoner prosecuted under a municipal ordinance and held in a municipal facility for
11 room, board, and personal expenses of the prisoner, subject to the ability of the
12 prisoner to pay the charge. A charge imposed under this section may not exceed \$70
13 per day.

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

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

19 (b) A municipality that leases a state marine or harbor facility under
20 AS 35.10.120 may, by ordinance and in accordance with the lease, establish and
21 collect reasonable fees for the use of those facilities. The municipality shall establish,
22 by ordinance, a separate account into which those fees shall be deposited. The
23 municipality shall disburse money from the account in accordance with the lease and
24 applicable law.

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

26 (d) A certificate of use is not required

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

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

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

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

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

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

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

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

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

18 (2) certificates of inspection for motor vehicles under AS 46.14.400 or
19 46.14.510;

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

22 (4) [REPEALED

23 (5) REPEALED

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

25 (5) [(7)] control of solid waste facilities under AS 46.03.020(10) and
26 46.03.100;

27 (6) [(8)] certification of laboratories conducting environmental analyses
28 of public drinking water systems or of oil or hazardous substances, or conducting other
29 analyses required by the department;

30 (7) [(9)] certification of federal permits or authorizations under 33
31 U.S.C. 1341, sec. 401 (Clean Water Act);

1 (8) regulation of pesticides and broadcast chemicals under
2 AS 46.03.320 and 46.03.330;

3 (9) subdivision plans for sewage waste disposal or treatment
4 submitted under AS 46.03.090; the fees authorized by this subsection may not be
5 levied for review of subdivisions being divided into four lots or less where each
6 lot is at least one acre in size.

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

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

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

- | | | |
|----|---|--------|
| 20 | (1) authorization to operate | \$100; |
| 21 | (2) renewal of authorization to operate | \$100; |
| 22 | (3) an agent's permit | \$ 50; |
| 23 | (4) renewal of an agent's permit | \$ 50. |

24 * **Sec. 15.** Section 13 of this Act takes effect immediately under AS 01.10.070(c).

25 * **Sec. 16.** Sections 1 - 3, 5 - 8, 10 - 12, and 14 of this Act take effect July 1, 1996.

26 * **Sec. 17.** Sections 4 and 9 of this Act take effect January 1, 1997.