

CS FOR SENATE BILL NO. 376(FIN) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 4/22/94
Offered: 4/21/94

Sponsor(s): SENATE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fees charged by state agencies for certain services and to
2 reimbursement for expenses incurred by the state in providing certain services;
3 and providing for an effective date."

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

5 * Section 1. AS 04.06.100(b) is amended to read:

6 (b) The subjects covered by regulations adopted under (a) of this section may
7 include [, BUT ARE NOT LIMITED TO,] the following matters:

8 (1) employment, conduct, and duties of the director and of regular and
9 contractual employees of the board;

10 (2) procedures for the issuance, denial, renewal, transfer, revocation,
11 and suspension of licenses and permits;

12 (3) terms and conditions of licenses and permits issued;

13 (4) fees for licenses and permits issued for which no fees are prescribed

14 by statute;

- 1 (5) conduct of regular and special meetings of the board;
- 2 (6) delegation to the director of routine administrative functions and
- 3 powers;
- 4 (7) the temporary granting or denial of issuance, transfer, and renewal
- 5 of licenses;
- 6 (8) manner of giving any notice required by law or regulation when not
- 7 provided for by statute;
- 8 (9) requirements relating to the qualifications of licensees, the
- 9 conditions upon which a license may be issued, the accommodations of licensed
- 10 premises, and board inspection of those premises;
- 11 (10) making of reports by wholesalers;
- 12 (11) purchase of fidelity bonds by the state for the director and the
- 13 employees of the board;
- 14 (12) prohibition of possession of alcoholic beverages by drunken
- 15 persons and by minors;
- 16 (13) required reports from corporations licensed under this title,
- 17 including reports of stock ownership and transfers and changes of officers and
- 18 directors;
- 19 (14) creation of classifications of licenses or permits not provided for
- 20 in this title;
- 21 (15) establishment and collection of fees to be paid on application for
- 22 a license, a [OR] permit, or an approval of an alcohol server education course;
- 23 (16) required reports from partnerships and limited partnerships licensed
- 24 under this title, including reports of transferred interests of 10 percent or more.

25 * Sec. 2. AS 18.70.080(b) is amended to read:

26 (b) The commissioner of public safety may establish by regulation and the
27 department may charge reasonable fees for

28 (1) fire and life safety plan checks made to determine compliance with
29 regulations adopted under (a)(2) of this section; and

30 (2) permits issued under regulations adopted under this chapter.

31 * Sec. 3. AS 18.72.010(b) is amended to read:

1 (b) A person desiring to use dangerous fireworks for industrial, agricultural,
2 wildlife control, or public display purposes shall first comply with the permit
3 requirements of the fire safety code. The department may charge fees established
4 in regulations for a permit issued under this subsection.

5 * Sec. 4. AS 18.72.020(a) is amended to read:

6 (a) A person holding a permit required by the fire safety code may sell or offer
7 for sale salable fireworks [,] if

8 (1) the person has submitted to the state fire marshal a policy, or a
9 certified true copy of a policy, of public liability and products liability insurance,
10 including both accident and occurrence coverage, provided by the wholesale company
11 selling fireworks to the person, in the amount of at least \$200,000 for bodily injury or
12 death and at least \$50,000 property damage and the person is named as an insured
13 party upon the policy and the policy is continuously in force while the person is
14 engaged in the retail sale of fireworks; and

15 (2) an endorsement fee in an amount established in regulations
16 adopted by the department [OF \$10] is paid to the state fire marshal for an
17 endorsement that is valid for two years or portions of two years during which the
18 permit holder is engaged in the retail sale of fireworks.

19 * Sec. 5. AS 18.72.030(a) is amended to read:

20 (a) A person who desires to sell fireworks at wholesale in the state shall first
21 make verified application for a license to the state fire marshal on forms provided by
22 the state fire marshal. The application shall be accompanied by an annual license fee
23 established in regulations adopted by the department [OF \$50].

24 * Sec. 6. AS 28.17.031(b) is amended to read:

25 (b) Every application for an original or renewed school license must be
26 accompanied by a fee of \$100 [\$25], and each application for an original or renewed
27 instructor license must be accompanied by a fee of \$25 [\$5]. No fee specified in this
28 section may be refunded if a license is refused, suspended, or revoked.

29 * Sec. 7. AS 33.30.011 is amended by adding a new subsection to read:

30 (b) The commissioner is authorized to seek payment for medical,
31 psychological, psychiatric, or other services provided under (a) of this section from any

1 source, including the prisoner, the prisoner's health insurance carrier, or any other
2 third-party insurer or payor to cover the services provided by the commissioner on
3 behalf of the prisoner. The duty established under (a) of this section does not relieve
4 the prisoner or any other person from a duty established by law, contract, or other
5 agreement to pay for or provide the services. The department shall adopt regulations
6 to interpret and implement this subsection.

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

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

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

15 (2) certificates of inspection for motor vehicles under AS 46.14.400 or
16 46.14.510;

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

19 (4) [OIL DISCHARGE FINANCIAL RESPONSIBILITY UNDER
20 AS 46.04.040;

21 (5) OIL DISCHARGE CONTINGENCY PLANS UNDER
22 AS 46.04.030;

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

24 (5) [(7)] control of solid waste facilities under AS 46.03.020(10) and
25 46.03.100;

26 (6) [(8)] certification of laboratories conducting environmental analyses
27 of public drinking water systems or of oil or hazardous substances, or conducting other
28 analyses required by the department;

29 (7) [(9)] certification of federal permits or authorizations under 33
30 U.S.C. 1341, sec. 401 (Clean Water Act);

31 (8) regulating pesticides and broadcast chemicals under

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AS 46.03.320:

(9) analysis of public water svstem samples authorized for submission to the department for analysis if no commercial laboratory in the state is certified or is reasonably expected to become certified for the analysis and holding times are too short to send the samples to an out-of-state laboratory;

(10) regulating motor vehicle fuels to control emissions under AS 46.14.510 to comply with mandated programs under the Clean Air Act and federal regulations.

* Sec. 9. TRANSITION. Notwithstanding sec. 11 of this Act, an agency of the state that has regulation adoption authority or that is authorized by this Act to adopt regulations, may proceed to adopt regulations necessary to implement that agency's respective provisions in this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before July 1, 1994.

* Sec. 10. Section 9 of this Act takes effect immediately under AS 01.10.070(c).

* Sec. 11. Except as provided in sec. 10 of this Act, this Act takes effect July 1, 1994.