

SB

376

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/13/94

FURTHER:

Date of 5-Day Notice: Waived 4-13-94
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4-21-94

Finance Committee considered SB 376

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

and recommends:

- replace with _____ CS SB 376 (FINANCE)
- or adopt previous _____ CS _____
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal
DPS- D. Services	4/13/94		1.5
DPS-FIR	4/13/94	<input checked="" type="checkbox"/>	
DEC	4/13/94		1280
DEC	4/13/94		670.2 Rev.
DOC	4/13/94	<input checked="" type="checkbox"/>	
DOR	4/13/94	<input checked="" type="checkbox"/>	0.4 Rev.

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS.

 Trip Kell

 Steve Kim

 Greg Decker

 Bert Adams

1. _____
 Co-Chair: Signature/Recommendation

OTHER RECOMMENDATIONS:

_____ De Nutter

2. _____
 Co-Chair: Signature/Recommendation

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 376

Revision Date: _____ Dept. Affected: Public Safety
 Title: State Agency Fees & Collections BRU: Motor Vehicles
 Component: Driver Services
 Sponsor: RLS by Request
 Requestor: (S) Finance COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL	1.5	1.5	1.5	1.5	1.5	1.5
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS. CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	1.5	1.5	1.5	1.5	1.5	1.5
CAPITAL EXPENDITURES						
CHARGE IN REVENUES ()	1.5	1.5	1.5	1.5	1.5	1.5
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	1.5	1.5	1.5	1.5	1.5	1.5
1006 GF/MHTIA						
Other						
TOTAL	1.5	1.5	1.5	1.5	1.5	1.5

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

The Division of Motor Vehicles currently issues licenses for 13 commercial driving schools and 25 instructor permits. Setting the school license fee at \$100, and the instructor permits at \$25 would bring in approximately 1.5 in new general fund program receipts. The fiscal note reflects 1.5 for travel and per diem to conduct annual inspections of these schools and vehicles.

Prepared By: Juanita Hensley Phone: 465-4361
 Division: Motor Vehicles Date: 04/13/94
 Approved by Commissioner: *[Signature]* Date: 04/13/94
 Agency: Richard V. Burton, Dept. of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSSB 376(FIN)

Revision Date: 4/21/94 Dept. Affected: Public Safety
 Title: State Agency Fees & Collections BRU: Fire Prevention
 Component: Fire Prevention Operations
 Sponsor: RLS by Request
 Requestor: (S) Finance COMPONENT SERIAL NO. 453

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()	*	45.6	84.2	84.2	84.2	84.2
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0	0	0	0	0	0

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS:

* This change would allow the Division of Fire Prevention to charge a fee for the permits the Division issues. The fees proposed are based on the average charged by other states with similar permit programs. The increased revenue would go into the general fund in the form of program receipts that could be used to support the Division's programs. There will be little or no change in FY 95 because regulations will have to be changed to implement the fees.

Prepared By: Jack McIary Phone: 269-5491
 Division: Fire Prevention Date: 04/21/94
 Approved by Commissioner: Richard L. Burton Date: 04/13/94
 Agency: Richard L. Burton, Dept. of Public Safety

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Handwritten: 4/21/94

FY 1996

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
Fireworks Wholesale Permit	10 @	500	5,000
Fireworks Retail Permit	50 @	100	5,000
			<u>\$16,500</u>

TOTAL \$45,675

FY 97, FY 98, FY 99, FY 00

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
Fireworks Wholesale Permit	10 @	500	5,000
Fireworks Retail Permit	50 @	100	5,000
			<u>\$16,500</u>

Fire Systems

Class IA	20 @	\$100	\$ 2,000
Class IB	50 @	150	7,500
Class IC	25 @	200	5,000
Class IIA	40 @	200	8,000
Class IIB	15 @	400	6,000
Class IIIA	20 @	200	4,000
Class IIIB	15 @	400	6,000
			<u>\$38,500</u>

TOTAL \$84,175

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SB 376

Revision Date: _____
 Title: State Agency Fees and Collections
 Sponsor: Rules Committee
 Requestor: Senate Finance Committee

Department Affected: Environmental Conservation
 BRU: Various
 Component: Various (see attached)
 COMPONENT SERIAL NO. Various (see attached)

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	67.5	133.4	133.4	133.4	133.4	133.4
TRAVEL						
CONTRACTUAL	49.3	27.0	27.0	27.0	27.0	27.0
SUPPLIES	1.2	1.8	1.8	1.8	1.8	1.8
EQUIPMENT	10.0	5.0				
LAND&STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	128.0	167.2	162.2	162.2	162.2	162.2

CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()	670.2	820.2	820.2	820.2	820.2	820.2

FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	128.0					
1005 GF/Program Receipt		167.2	162.2	162.2	162.2	162.2
1006 GF/MHTIA						
Other						
TOTAL						

Estimate of any current year (FY94) cost: \$ _____

POSITIONS:

FULL-TIME	2.0	3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 See attached.

Prepared by: Bob Poe, Director
 Division: Information & Administrative Services

Phone: 465-5010
 Date: 4/13/94

Approved by Commissioner: _____
 Agency: Department of Environmental Conservation

Date: 4/13/94

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3/10/94

Section 29. AS 44.46.025 is amended to read:

(10) regulating pesticides and broadcast chemicals
 under AS 46.03.320

Environmental Health BRU Palmer Lab Component (#651)

Anticipated Revenues (Begin collections FY96 = \$150.0)

Anticipated Costs

DLaw Reg Development

Forms/Printing

(FY96 = Add 1 PFT Enviro Specialist ! = \$50.0PS, \$2.0 Contractual, \$.6 Supplies, \$5.0 Equip)

(11) the on-site water and sewer system certification and audit
 program under AS 46.03.026

Environmental Quality BRU, Wasterwater & Water Treatment Component (#1426)

Anticipated Revenues

Anticipated Costs

DLaw Reg Development

Forms/Printing

(12) plans for sewage and industrial waste disposal or treatment
 under AS 46.03.090

Environmental Quality BRU, Wasterwater & Water Treatment Component (#1426)

Anticipated Revenues

Anticipated Costs

DLaw Reg Development

Forms/Printing

(13) analysis of public water system samples authorized for
 submission to the department for analysis

Environmental Quality BRU, Monitoring & Lab Component (#643)

Anticipated Revenues

Anticipated Costs

(14) regulating motor vehicle fuels to control emissions under
 AS46.14.510

Environmental Quality BRU, Air Quality Component (#1428)

Anticipated Revenues

Anticipated Costs

General Regulation Support

Administration BRU, Commissioner's Office Component

1 PFT Regulations Specialist Position + related costs

Administration BRU, Information & Administrative Services Component

1 PFT Accounting Clerk III Position + related costs

FY95 Request	
Anticipated Revenues	Gen Fund Costs
0.0	
	12.0
	3.0
250.0	
	20.0
	6.0
75.0	
	5.0
	1.3
20.2	
	0.0
325.0	
	46.1
	34.6
670.2	128.0

Position Title Regulations Specialist II		No. of Positions 1	Range / Step 16B	Barg. Unit GGU
Time Status PFT	Staff Months 9	Location Juneau		Election District
TYPE OF EXPENDITURE		Amount	Justification	
Salary	28.4		This position would assist all divisions in developing their needed regulations. The position will be working under the auspices of the Department's paralegal in the Commissioner's Office.	
Benefits	11.2			
Premium Pay				
Other				
Total Personal Services	39.5	39.5	Unless regulations are developed and adopted, the Department cannot exercise its program receipt authority and collect user fees.	
Travel				
Contractual		1.0		
Commodities		0.6		
Equipment		5.0	First year costs are for 9 months and are general funds.	
Other				
Total Cost				
FUNDING SOURCE FOR TOTAL COST		46.1		
Federal Receipts	1002		Future years' costs are for 12 months and will be funded by program receipts.	
GF Match	1003			
General Fund	1004	46.1		
IA Receipts	1007			
CIP Receipts	1061			
Other	Program Receipts			

**REQUEST FOR
NEW POSITION**

AGENCY ENVIRONMENTAL CONSERVATION

FY 94

BRU ADMINISTRATION

COMPONENT COMMISSIONER'S OFFICE

Page 1 of 1
Revised Date

Position Title Accounting Clerk III		No. of Positions 1	Range / Step 10B	Barg. Unit GGU
Time Status 1 PFT	Staff Months 9	Location Juneau		Election District
TYPE OF EXPENDITURE		Amount		
Salary	19.1	Justification An additional staff person is essential for receiving, recording, and depositing fees collected under the expanded user fee program. This position would also issue invoices, track receipts and reports on collections to program staff. During FY95, staff would aid in planning document flow procedures and record keeping system/database expansion. First year costs are for 9 months and are general funds. Future years' costs are for 12 months and will be funded by program receipts.		
Benefits	8.9			
Premium Pay				
Other				
Total Personal Services	28.0			
Travel				
Contractual	1.0			
Commodities	0.6			
Equipment	5.0			
Other				
Total Cost		34.6		
FUNDING SOURCE FOR TOTAL COST				
Federal Receipts	1002			
GF Match	1003			
General Fund	1004	34.6		
IA Receipts	1007			
CIP Receipts	1061			
Other	Program Receipts			

**REQUEST FOR
NEW POSITION**

AGENCY ENVIRONMENTAL CONSERVATION

FY 94

BRU ADMINISTRATION

Page 1 of 1
Revised Date

COMPONENT INFORMATION & ADMINISTRATIVE SERVICES

STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

BILL NO.: SB 376

Revision Date:	_____	Dept. Affected:	_____
Title:	Re. fees by state agencies	BRU:	all
Sponsor:	S. Rules	Component:	all
Requestor:	S. FIN	Component Serial #:	694-1884

Expenditures/Revenues (Thousands of Dollars)

	FY95	FY96	FY97	FY98	FY99	FY00
OPERATING EXP.						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXP	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGES IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
---------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MITLA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY94) cost \$ 0.0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS:

Prepared by: Diane Schenker, Special Assistant
 Division: Office of the Commissioner
 Approved by: J. Frank Prewitt, Jr., Commissioner
 Agency: Department of Corrections

Phone: 465-4643/786-2147
 Date: 4/14/94
 Date: 4/14/94
 Page 1 of 1

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SB 376

Revision Date: _____
 Title: Fees charged by state agencies...
 Sponsor: Senate Finance Committee
 Requestor: Senate Finance Committee

Dept. Affected: Revenue
 BRU: Alcoholic Beverage Control Board
 Component: _____

COMPONENT SERIAL NO. 0100

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE FUND SOURCE: 1005	0.4	0.4	0.6	0.0	0.2	0.0
----------------------------------	------------	------------	------------	------------	------------	------------

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY94) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

The Board estimates that a single alcohol servers course will seek certification in FY 95. It is anticipated that a second course will seek certification in FY 96. Certifications are valid for three years. The fee for initial certification is \$400 and the renewal fee is \$200.

Prepared by: Patrick L. Sharrock, Director
 Division: Alcoholic Beverage Control Board
 Approved by Commissioner: Darrel J. Rexwinkel
 Agency: Department of Revenue

Phone: (907) 277-8638
 Date: April 13, 1994
 Date: April 13, 1994

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Frank MOVED
ADOPTED

AMENDMENT # 2

TO SENATE BILL 376

BY SENATOR FRANK

Page 5
Line 6

Insert the following after "is certified":

"or is reasonably expected to become certified"

AMENDMENT #3

TO SENATE BILL 376

BY SENATOR FRANK

Page 5 line 9
Section 8

Insert the following after "AS 46.14.510":

"to comply with mandated programs under the Clean Air Act and federal regulations. ~~The fees shall be adopted in accordance with the Administrative Procedures Act and limited to the actual cost of the specific program.~~"

*per Done
in Sen. Frank
Remove 2nd
Sentence*

Amend #3 SB 376

*Frank - 2nd sentence
restates existing law.*

*AS 37.10.050(a)
limits charging of fees.*

6655 Dave Dierdorff

CS 4 line 19420
deleted
amend #1

CS SENATE BILL NO. 376 (*Fin.*)

IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Introduced: 4/13/94
Referred: Finance

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 AS 46.04.040;~~

20 ~~(5) oil discharge contingency plans under AS 46.04.030;~~

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

22 (7) control of solid waste facilities under AS 46.03.020(10) and
23 46.03.100;

24 (8) certification of laboratories conducting environmental analyses of
25 public drinking water systems or of oil or hazardous substances, or conducting other
26 analyses required by the department;

27 (9) certification of federal permits or authorizations under 33 U.S.C.
28 1341, sec. 401 (Clean Water Act);

29 (10) regulating pesticides and broadcast chemicals under
30 AS 46.03.320;

31 (11) the on-site water and sewer system certification and audit

1 program under AS 46.03.026;

2 (12) plans for sewage and industrial waste disposal or treatment
3 under AS 46.03.090;

4 (13) analysis of public water system samples authorized for
5 submission to the department for analysis if no commercial laboratory in the state
6 is certified for the analysis and holding times are too short to send the samples
7 to an out-of-state laboratory;

8 (14) regulating motor vehicle fuels to control emissions under
9 AS 46.14.510.

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

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

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

SENATE BILL - RELATING TO FEES CHARGED BY STATE AGENCIES - SECTIONAL

Section	Department	Brief Description	Revenues
1	Revenue	Allows the department to charge fees for approving alcohol server education courses	0.4
2	Public Safety	Allows the department to set and charge fees for permits issued to persons who service portable fire extinguishers and persons who design, install, or service fire alarm and fire	
3	Public Safety	Allows the department to set and charge fees for permits issued to persons who use dangerous fireworks displays	
4	Public Safety	Allows the department to set in regulations the fee charged for retail fireworks permits	Revenues expected in FY96
5	Public Safety	Allows the department to set in regulations the fee charged for wholesale fireworks permits	Revenues expected in FY96
6	Public Safety	Increases the fees charged for driver training school and instructor licenses	
7	Corrections	Allows the department to seek payment for medical care from third party payers	
8	Environmental Conservation	Allows the department to adopt regulations to charge for pesticide registration, collect a fee for subdivision plan reviews, charge fees for bank loan audits, charge fees for analyses of water systems, and for regulation motor vehicle fuels	
9		Allows departments to proceed to adopt necessary regulations to implement their respective sections in this bill	

SENATE BILL - RELATING TO FEES CHARGED BY STATE AGENCIES - SECTIONAL

Section	Department	Brief Description	Revenues
10		Provides an immediate effective date for section 9	
11		Provides for a July 1, 1994 effective date for all other sections	

Alaska Department of Environmental Conservation
SB 376

Section 8. AS 44.46.025(a) is amended to read:

(14) regulating motor vehicle fuels to control emissions under AS 46.14.510.

What is the reason for this statute change?

The purpose of this section is to enhance the departments ability to collect program receipts. One benefit of the fees will be associated with the cost to transport our goods and commodities within the State. Without a petition to exempt Alaska from federal fuel requirements, the cost for diesel fuel could go up by as much as 40 percent (\$0.50 per gallon), which will substantially increase the cost to move our goods and commodities.

Why is the statute change needed?

Under section 110(a)(2)(E) of the Clean Air Act, the State is required to demonstrate adequate personnel, funding, and authority to implement their Air Quality Plan. This amendment clarifies the authority for funding.

When would the department utilize this fee authority?

The department would utilize this fee authority to fund programs associated with motor vehicle emissions. It is limited in scope and must be associated with motor vehicles and emissions from those vehicles. One such program is the low sulfur program. Current federal law requires low sulfur diesel fuel to be used in all motor vehicles.

The proposed language would enable the department to collect program receipts to prepare a waiver, under the Clean Air Act, to exempt Alaska from the sulfur requirements. Only the State may petition for such an exemption.

Currently, the State has been successful in obtaining an exemption for those areas of Alaska not on the marine highway or the contiguous road system. However, to prepare the request for the marine highway communities and the contiguous road system would require a more detailed petition, which necessitates additional funds.

Working with industry, the department has determined that the cost of retrofitting the refineries and distribution system would cost in excess of \$150 million. This would result in an increase in diesel fuel costs which has been estimated to be as much as \$0.50 per gallon.

The cost of complying with this federal requirement is extremely high. This unusual cost of compliance, which will be passed on to the citizen's of Alaska, demonstrates the need for the department to be able to proceed with its low sulfur diesel petition. The petition will also be dealing with the dye issue that is currently causing some problems.

4-15-94
 JFC-94
 DPS

FIRE EXTINGUISHER, FIRE SYSTEM, FIREWORKS PERMIT FEE COMPARISON

	FIRE EXTINGUISHER THREE YEARS			FIRE ALARM TWO YEARS			FIRE SPRINKLER SYSTEMS TWO YEARS		SPECIAL SYSTEMS TWO YEARS		KITCHEN HOOD TWO YEARS	PYROTECHNIC OPERATOR THREE YEARS	DANGEROUS FIREWORKS PER DISPLAY
	CLASS I	CLASS II	CLASS III	CLASS IA	CLASS IB	CLASS IC	CLASS IIA	CLASS IIB	CLASS IIIA	CLASS IIIB	CLASS IV		
*ALASKA (PROPOSED)	\$75.00	\$150.00	\$225.00	\$100.00	\$150.00	\$200.00	\$200.00	\$400.00	\$200.00	\$400.00	\$200.00	\$350.00	\$100.00
CALIFORNIA	\$300.00	\$300.00	\$1,200.00	\$580.00	\$580.00	\$580.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,050.00	\$200.00
DELAWARE	\$150.00	\$150.00	\$150.00	\$200.00+	\$200.00+	\$200.00+	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	NO CHARGE	NO CHARGE
KENTUCKY	NOT REGULATED			\$80.00	\$80.00	\$80.00	\$600.00	\$800.00	\$600.00	\$800.00	\$800.00	LOCAL PERMIT	LOCAL PERMIT
LOUISIANA	\$150.00+	\$150.00+	\$150.00+	\$100.00+	\$100.00+	\$100.00+	\$100.00+	\$100.00+	\$100.00+	\$100.00+	\$100.00+	\$750.00	\$10.00
MICHIGAN	NOT REGULATED			\$150.00+	\$150.00+	\$150.00+	\$150.00+	\$150.00+	\$150.00+	\$150.00+	\$150.00+	LOCAL PERMIT	LOCAL PERMIT
MONTANA	\$600.00	\$600.00	\$600.00	\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	LOCAL PERMIT	NO CHARGE
NEVADA	\$1,200.00	\$1,200.00	\$1,200.00	\$800.00+	\$800.00+	\$800.00+	\$800.00+	\$800.00+	\$800.00+	\$800.00+	\$800.00+	\$150.00+	LOCAL PERMIT
NEW YORK	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$120.00+	\$150.00	LOCAL PERMIT
OKLAHOMA	NOT REGULATED			\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	\$400.00+	N/A	LOCAL PERMIT
TENNESSEE	\$150.00+	\$150.00+	\$150.00+	\$175.00+	\$175.00+	\$175.00+	\$800.00	\$800.00	\$800.00	\$800.00	\$800.00	NO PERMIT REQUIRED	\$10.00
TEXAS	\$150.00+	\$150.00+	\$150.00+	\$300.00+	\$300.00+	\$300.00+	\$350.00+	\$350.00+	\$350.00+	\$350.00+	\$350.00+	\$75.00	\$400.00
TOTAL	\$90.00+	\$90.00+	\$90.00+	NOT REGULATED							\$600.00	LOCAL PERMIT FEE	

NOTES:
 *All fees shown are based on cost for a two or three year permit. However most states require permits to be renewed each year.
 + There are additional fees for each company that works on systems that are not shown on this chart.
 1. Many states do not charge fees for any permits because the Fire Prevention/State Fire Marshal's Office is funded from an excise tax on Fire Insurance.
 NOT REGULATED - This information was obtained from the various State Fire Marshal Offices and does not include fees that may be charged by other state agencies, such as Occupational Licensing

FIRE EXTINGUISHER, FIRE SYSTEM, FIREWORKS PERMIT FEE COMPARISON

**FIREWORKS WHOLESALE AND RETAIL
PERMIT FEE COMPARISON ***

	WHOLESALE	RETAIL
ALASKA - (NOW)	\$ 50.00	\$ 5.00 PER LOCATION
ALASKA - (PROPOSED)	\$ 500.00	\$ 100.00 PER LOCATION
ALABAMA	\$ 350.00	\$ 100.00 PER LOCATION
CALIFORNIA	\$ 2000.00	\$ 50.00 PER LOCATION
COLORADO	\$ 750.00	\$ 25.00 PER LOCATION
FLORIDA	\$ 1000.00	\$ 200.00 PER LOCATION
LOUISIANA	\$ 2000.00	\$ 75.00 PER LOCATION
MISSOURI	\$ 250.00	\$ 25.00 PER LOCATION
NEW MEXICO	\$ 1000.00	\$ 100.00 PER LOCATION
OREGON	\$ 1000.00 \$ 1500.00 OUT OF STATE	\$ 25.00 PER LOCATION
SOUTH CAROLINA	\$ 1000.00	\$ 50.00 PER LOCATION
TENNESSEE	\$ 750.00	\$ 750.00 PER LOCATION
WASHINGTON	\$ 2000.00	\$ 40.00 PER LOCATION

* FEES ARE PER YEAR

1. MANY STATES DO NOT ALLOW FIREWORKS TO BE SOLD OR ARE SO RESTRICTIVE ON WHAT CAN BE SOLD THAT PERMITS ARE NOT REQUIRED.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 376

Revision Date: _____ Dept. Affected: Public Safety
 Title: State Agency Fees & Collections BRU: Fire Prevention
 Component: Fire Prevention Operations
 Sponsor: BLS by Request
 Requestor: (S) Finance COMPONENT SERIAL NO. 494

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()	0	35.6	74.2	74.2	74.2	74.2

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0	0	0	0	0	0

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS:

* This change would allow the Division of Fire Prevention to charge a fee for the permits the Division issues. The fees proposed are based on the average charged by other states with similar permit programs. The increased revenue would go into the general fund in the form of program receipts that could be used to support the Division's programs. There will be little or no change in FY 95 because regulations will have to be changed to implement the fees.

Prepared By: Jack McGary Phone: 269-5491
 Division: Fire Prevention Date: 04/13/94
 Approved by Commissioner: *Richard Burton* Date: 04/13/94
 Agency: Richard Burton, Dept. of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

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FY 1996

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
			<u>\$ 6,500</u>

TOTAL \$35,675

FY 97, FY 98, FY 99, FY 00

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
			<u>\$ 6,500</u>

Fire Systems

Class IA	20 @	\$100	\$ 2,000
Class IB	50 @	150	7,500
Class IC	25 @	200	5,000
Class IIA	40 @	200	8,000
Class IIB	15 @	400	6,000
Class IIIA	20 @	200	4,000
Class IIIB	15 @	400	6,000
			<u>\$38,500</u>

TOTAL \$74,175