

**HEB**

**416**

# MEMORANDUM RECEIVED

State of Alaska  
Department of Law

APR 08 1996

DATE: April 5, 1996

TO: Nancy Slagle  
Director  
Division of Budget Review  
Office of Budget and Management  
Office of the Governor

BUDGET REVIEW NO.:

TEL. NO.: 465-2127

SUBJECT: Whether there are single subject problems with the governor's omnibus fee bills, HB 416 and SB 216

FROM: John B. Gaguine *JBG*  
Assistant Attorney General  
Governmental Affairs - Juneau

You have informed us that the staff of the House State Affairs Committee have expressed concerns that the governor's omnibus fee bill, HB 416,<sup>1</sup> might violate article II, section 13 of the Alaska constitution, which requires that "[e]very bill shall be confined to one subject." For that reason you have asked us to give you an opinion on this question. It is our opinion that under the precedents of the Alaska Supreme Court, the fee bill passes constitutional muster. Moreover, we believe that even if that court were to overrule some of those precedents and adopt a more stringent single-subject test, the fee bill would still be found constitutional.

The Alaska Supreme Court has given a very broad interpretation to "one subject" in the constitutional provision, and has never found that a legislative enactment or an initiative has violated that provision. See e.g., State v. First Nat'l Bank of Anchorage, 660 P.2d 406, 414-15 (Alaska 1982) (upholding bill against single-subject attack because all the bill's provisions concerned "land"); Yute Air Alaska, Inc. v. McAlpine, 698 P.2d 1173 (Alaska 1985) (upholding bill against single-subject attack because all the bill's provisions concerned "transportation"). Under these precedents, the fee bill would obviously pass muster.

However, the Supreme Court in both First Nat'l Bank and Yute, its two most recent decisions on the single-subject rule, has questioned the breadth of its interpretation.<sup>2</sup> It is thus distinctly possible that the court will not be so deferential to the legislature in the next single-subject challenge that it hears.<sup>3</sup> But we believe that the fee bill would be found constitutional even under a stricter test. Although we have not found any relevant authority from other states on this question, we believe that the Alaska courts would find that proposals to increase state revenues by raising fees

---

<sup>1</sup> An identical version of the fee bill was introduced in the Senate as SB 216.

<sup>2</sup> Former Justices Moore and Burke would have gone further in Yute, and would have invalidated the enactment there on single-subject grounds.

<sup>3</sup> We note, though, that the first reason that the Yute majority (all three of whom are still on the court) gave for not overruling the prior single-subject cases was that "it is not at all clear that there are workable stricter standards." Id. at 1180. Presumably this is still the case.

Nancy Slagle

April 5, 1996

Page 2

properly belong together, even though the bill sections raising the fees affect several different titles of the state statutes. As the Yute majority observed, "Many laws embracing a single subject direct more than on governmental department to act." 698 P.2d at 1181.

Please feel free to contact us if you have any questions about this memorandum.

JBG:clh

cc: Pat Pourchot  
Legislative Director  
Office of the Governor

Bruce Botelho  
Attorney General

Barbara Ritchie  
Deputy Attorney General

Deborah Behr  
Legislative Attorney  
Dept. of Law

Chrystal Smith  
Legal Administrator  
Dept. of Law

TONY KNOWLES  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

HB 416  
P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 465-3500  
Fax (907) 465-3532

January 12, 1996

The Honorable Gail Phillips  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

HB 416

Dear Speaker Phillips:

As we work to close Alaska's budget gap, my fiscal plan combines spending cuts with increases in certain fees and taxes. This fee bill asks users of state services to take responsibility and help cover the costs of the agencies that serve them.

Section 1 of the bill would grant to the Real Estate Commission the power to charge the real estate surety fund for claim hearing costs as they are incurred. Presently, the commission must await the conclusion of a hearing before charging the fund. Because these costs may have been incurred during a fiscal year that has since been "closed out," the costs often cannot be reimbursed from the surety fund. In addition, this section would delete a misleading statutory reference to clarify that only the costs of surety fund claim hearings, and not the costs of all disciplinary hearings, may be charged to the fund.

Section 2 would allow the Alaska Commission on Postsecondary Education to charge fees for processing educational institutions' applications for authorization to operate, along with application fees for the institutions' agent permits.

Section 3 of the bill would authorize the State Commission for Human Rights to establish and charge fees for educational and training services and for information and materials the commission provides to the public. This amendment would help the commission cover costs associated with its education efforts to eliminate discrimination.

The Honorable Gail Phillips

January 12, 1996

Page 2

Section 4 of the bill would establish an administrative fee for self-insured employers under the Alaska Workers' Compensation Act. Most employers currently pay a portion of the cost of running the state workers' compensation program through their insurance premium tax. Self-insured employers, however, are receiving the same state services but are not currently contributing to the cost of running the system. Under this bill, employers would share in those costs.

Section 5 would change the biennial fee for a business license from \$50 to \$75. This would mark the first fee increase since statehood.

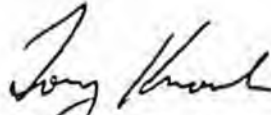
Section 6 of the bill would allow the Division of Governmental Coordination in the Office of the Governor to adopt regulations to charge for services related to federal consistency determinations and certifications under the Coastal Zone Management Act.

Section 7 of the bill would authorize the Department of Military and Veterans' Affairs to adopt regulations setting reasonable fees for classes and seminars on emergency response procedures.

Section 8 of the bill would authorize the Department of Environmental Conservation to adopt regulations setting fees for the regulation of pesticides and broadcast chemicals and for the review of subdivision plans for sewage waste disposal or treatment.

This legislation, coupled with my spending plan, is a step toward closing Alaska's budget gap. I urge your prompt consideration and passage of this bill.

Sincerely,



Tony Knowles  
Governor

11/28/95

## 1994 SELF-INSURED WC PAYMENTS AT 4% BY YEAR

SELF-INSURED EMPLOYER	1994	4% of 94 payments	1993	4% of 93 payments	1992	4% of 92 payments	1991	4% of 91 payments	1990	4% of 90 payments	1989	4% of 89 payments
1 ALASKA COM INC.	279,518	11,181	220,698	8,828	282,517	11,301	320,353	12,814	397,105	15,884	239,079	9,561
2 ALASKA AIRLINES, INC.	1,032,454	41,298	1,022,114	40,885	846,612	33,864	796,129	31,845	771,787	30,871	1,009,872	40,395
3 ALASKA RAILROAD CORP	416,743	16,670	376,636	15,065	496,042	19,842	396,269	15,851	898,415	35,937	637,380	25,495
4 ALYESKA PIPELINE SERVICE	460,061	18,402	590,801	23,632	662,048	26,482	399,032	15,961	424,597	16,984	311,825	12,170
5 ANICO PRODUCTION	No payment		No payment		No payment		No payment		31,160	1,246	No payment	
6 ANCHORAGE DAILY NEWS INC	146,370	5,855	New									
7 ANCHORAGE SCHOOL DISTRICT	1,460,149	→ 58,406	1,743,052	69,722	1,627,289	65,092	1,360,704	54,428	1,180,165	47,207	1,901,768	76,071
8 CARR GOTTSTEIN FOODS CO.	1,367,237	54,689	1,670,159	66,806	1,272,136	50,885	1,226,688	49,068	1,252,361	50,094	1,700,274	68,011
9 CHEVRON CORPORATION	103,202	4,128	31,047	1,242	40,021	1,601	279,982	11,199	146,428	5,857	32,079	1,284
10 CITY OF FAIRBANKS	532,421	→ 21,297	430,752	17,230	807,418	32,297	806,719	32,269	956,724	38,269	637,315	25,494
11 COLUMBIA HEALTHCARE CORP	956,492	38,260	201,144	8,016	381,743	15,270	191,605	7,664	269,658	10,786	54,755	2,190
12 CONSOLIDATED FREIGHTWAYS	124,775	4,991	38,910	1,556	5,982	239	38,665	1,547	15,739	630	4,795	192
13 CONTINENTAL BAKING CO.	329,886	13,195	176,333	7,053	199,183	7,967	188,127	7,525	68,800	2,752	101,558	4,062
14 FAIRBANKS, NORTH STAR	528,870	→ 21,155	704,398	28,176	1,863,960	74,558	618,712	24,748	522,386	20,895	348,761	13,950
15 FEDERAL EXPRESS CORP.	1,013,730	41,749	514,323	20,573	438,507	17,540	321,384	12,855	New			
16 HOLLAND AMERICA LINE	211,364	8,455	121,042	4,842	234,848	9,394	New					
17 KURTLE SEAFOOD	369,669	14,787	204,571	8,183	New							
18 KUREBAU, CITY & BOROUGH	723,198	→ 28,928	962,982	38,519	909,852	36,394	632,741	25,310	489,507	19,580	261,171	10,455
19 LOUISIANA - PACIFIC CORP	1,212,426	48,497	1,110,410	44,416	1,310,244	52,410	1,278,322	51,133	1,042,358	41,694	737,745	29,510
20 MARATHON OIL COMPANY	19,226	769	70,454	2,818	64,397	2,576	58,196	2,328	8,518	341	85,952	3,448
21 MATANUSKA-SUSTINA SCHOOL DISTRICT	27,625	→ 1,105	New									
22 MUNICIPALITY OF ANCHORAGE	2,148,957	→ 85,958	2,093,953	83,758	2,479,017	99,161	2,890,913	115,637	552,570	22,103	3,312,191	132,488
23 NABORS PETROLEUM SERVICE	514,106	21,764	466,640	18,666	356,268	14,251	289,340	11,574	321,225	12,849	569,117	22,771
24 NORTH SLOPE BOROUGH	795,326	→ 31,813	856,511	34,260	761,158	30,446	429,364	17,175	273,617	10,946	271,994	10,880
25 SALEWAY STORES INC.	468,137	18,725	1,338,104	53,524	500,905	20,036	370,028	14,801	470,159	18,806	311,610	12,461
26 SEA LAND INDUSTRIES	524,092	20,964	286,396	11,456	370,348	14,814	262,215	10,489	164,253	6,570	207,008	8,280
27 UNION OIL CO.	No report		No report		361,365	14,455	338,750	13,550	201,762	8,070	358,350	14,331
28 UNIVERSITY OF ALASKA	955,435	→ 38,217	898,274	35,931	931,916	37,277	795,795	31,832	529,375	21,175	1,128,069	45,124
	16,781,469	671,259	16,129,704	645,188	17,203,776	688,151	14,290,033	571,601	10,988,699	439,548	14,223,100	568,921

## HB 416 - RELATING TO FEES CHARGED BY STATE AGENCIES - SECTIONAL

Section	Department	Brief Description	Revenues	
			FY97	Future Years
1	Commerce & Economic Dev	Allows the department to charge costs of hearings related to the real estate surety fund on an ongoing basis. This clarifies and simplifies the real estate surety fund statutes by allowing all hearing costs to be charged to the real estate surety fund.	3.0	
2	Education	Allows the department to set fees by regulation for applications to operate and for agents' permits related to postsecondary education institutions This will allow the corporation to cover costs of this process by allocating these costs across the regulated population. Charges will be based on a sliding scale tied to the tuition/fee revenues of each institution and will set minimums and maximums.	62.5	123.2
3	Governor	Allows the Human Rights Commission to charge fees for education and training services and for materials provided to the public The Commission has had to direct more of its limited resources towards enforcement and less to training in recent years. This section will allow the Commission to charge for training to deal with this unmet need. <i>Request technical amendment to language.</i>	5.1	
4	Labor	Requires self-insured employers to pay a fee to cover the costs of activities related to Workers' Compensation claims processing 4% user fee on all workers compensation costs paid during the previous calendar year. This is similar to the premium tax paid by employers' for WC policies. This fee would cover the cost of processing & hearings on claim disputes before the commission.	671.3	
5	Commerce & Economic Dev	Increases business license fees charged by Occupational Licensing from \$25 per year to \$75 every 2 years The business license fees have not been changed since statehood. The increased revenues will help close the fiscal gap. Occupational licensing collects the current fees on a biannual basis.	841.3	
6	Governor	Allows the Division of Governmental Coordination to charge fees for federal consistency determinations under the Alaska Coastal Management Program.	0.0	32.5

Section	Department	Brief Description	Revenues	
			FY97	Future Years
		Consistency review process provides a consolidated state response to coastal development projects and related state and federal permit applications. This will allow DGC to charge industry for large and medium size projects. The funds will be used to assemble a team to facilitate early design and review of particular projects. Projects could include forest products manufacturing facilities, oil & gas development projects and mine development in the coastal areas.		
7	Military & Veterans' Affairs	Allows the department to charge fees for emergency management response training  Municipalities, non-profits and for-profit organizations are interested in receiving training on emergency preparedness. The fees will cover travel and facility rental necessary to conduct the training. The trainer is funded from federal FEMA funds.	0.0	4.0
8	Environmental Conservation	Allows the department to charge fees for pesticide and broadcast chemical use and for review of subdivision plans for sewage waste disposal or treatment facilities The department will set and collect fees for review of subdivision plans for sewage disposal or treatment. The fees will replace GF transferred from the domestic wastewater program. This will fund technical staff conducting reviews and supporting costs.	320.0	
9 & 10		Transitional language		
11 - 13		Effective dates		
			TOTAL	1,903.2
				159.7

**Proposed Amendments**

New	Transportation & Public Facilities	Allows the department to charge for the use of state marine or harbor facilities and requires municipalities that lease state marine or harbor facilities to charge comparable fees and account for those fees separately.
New	Natural Resources	Allows the department to charge a fee for direct costs of evaluating or auditing an application for exploration credits for mine development.

AMENDMENT

3. inserted in the title

To: HB 416

#1

Passed

renumbered

14  
15  
16  
17  
18  
19  
20  
21

• Sec. 16 AS 27.30 is amended by adding a new section to read:

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

AMENDMENT

OFFERED IN THE HOUSE

TO: HB 416

Page 1, line 8:

Following "chemicals,":

Delete "and"

#2  
passed

Following "treatment":

Insert ", and state marine and harbor facilities and the lease of those facilities"

Page 3, following line 6:

Insert a new bill section to read:

"\* Sec. 5. AS 35.10 is amended by adding a new section to article 2 to read:

Sec. 35.10.121. MARINE AND HARBOR FACILITY FEES. (a) The department may establish fees, by regulation, for the use of state marine or harbor facilities that provide for <sup>all</sup> ~~the~~ reasonable costs of management, operation, maintenance, and replacement of those facilities.

(b) A municipality that leases a state marine or harbor facility under AS 35.10.120 shall, by ordinance and in accordance with the lease, establish and collect reasonable fees for the use of those facilities. At minimum, the fees may not

be less than the fees established by the department for that type of facility under (a) of this section. The municipality shall establish, by ordinance, a separate account into which those fees shall be deposited. The municipality shall disburse money from the account in accordance with the lease and applicable law."

Renumber the following bill sections accordingly.

Page 4, line 21:

Delete "secs. 2 - 8"

Insert "secs. 2 - 9"

Page 4, line 23:

Delete "secs. 2 - 8"

Insert "secs. 2 - 9"

Page 5, line 5:

Delete "Section 9"

Insert "Section 10"

Page 5, line 6:

Delete "Sections 1 - 3, 6 - 8, and 10"

Insert "Sections 1 - 3, 5, 7 - 9, and 11"

Page 5, line 7:

Delete "Sections 4 and 5"

Insert "Sections 4 and 6"

# FISCAL NOTE

No. 8  
 Bill Version: HB 416  
 (H) Publish Date: 1-12-96

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_

Title: Governor's Fees Bill

Sponsor: Rules Committee

Requester: Governor Knowles

Department Affected: Revenue

BRU: Alaska Student Aid Corporation

Component: Program Administration

COMPONENT SERIAL NO. 2111

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES</b>	62.5*	123.2	125.6	128.2	131.0	133.6
---------------------------	-------	-------	-------	-------	-------	-------

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ -0-

**ANALYSIS:** (Attach a separate page if necessary.) \* estimated revenue upon implementation in January, 1997. Currently these authorization-related activities are performed by 2.5 staff at a cost to the Alaska Student Loan Corporation of approximately \$125,000 each year. Through this bill, the Corporation would have the authority to develop a method of allocating these costs across the regulated population. We anticipate that this could be done on a sliding scale that is tied to the tuition/fee revenues of each institution and would propose that minimum and maximum amounts be set. These funds are program receipts received into the general fund.

Prepared by: Gillian Hays, Legislative Liaison Phone: 465-6718  
 Division: Alaska Student Aid Corporation Date: January 11, 1996  
 Approved by Executive Director: Diane Barrans *Diane Barrans*  
 Agency: Revenue Date: \_\_\_\_\_

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information call the Governor's Legislative Office

**COMMITTEE COPY**

# FISCAL NOTE

No. 7  
 Bill Version: HB 416  
 (H) Publish Date: 1-12-96

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

Revision Date: Original Dept Affected: Military & Veteran's Affairs  
 Title: An Act relating to fees... BRU: Disaster Planning and Control  
 Component: Disaster Planning and Control  
 Sponsor: Rules Committee  
 Requestor: Governor Knowles Component Serial No. 1808

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL		2.0	2.0	2.0	2.0	2.0
CONTRACTUAL		2.0	2.0	2.0	2.0	2.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	4.0	4.0	4.0	4.0	4.0
<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CHANGE IN REVENUES (1005)</b>	0.0	4.0	4.0	4.0	4.0	4.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts		4.0	4.0	4.0	4.0	4.0
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	4.0	4.0	4.0	4.0	4.0

Estimate of any current year (FY96) cost: \$ none anticipated

**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:** (Attach a separate page if necessary)

Fiscal impact determined by 2 emergency preparedness classes conducted per year - 20 attendees per class - \$100 per attendee per class. One class will be in Juneau, one in Anchorage. The trainer will be paid for by a federal FEMA grant already included in the FY97 operating budget request.

Prepared by: Carol Carroll, Director Phone: 465-4730  
 Division: Administrative Services Date: 11-Jan-96  
 Approved by Commissioner: *Gov. W. W. Knowles* Date: 11-Jan-96  
 Agency: Military & Veteran's Affairs

# FISCAL NOTE

No. 6

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

Bill Version: HB 416  
(H) Publish Date: 1-12-96

Revision Date: \_\_\_\_\_  
Title: Fees for State Services  
Sponsor: Rules Committee  
Requestor: Governor

Department Affected: Labor  
BRU: Workers' Compensation  
Component: Workers' Compensation  
COMPONENT SERIAL NO. 344

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
<b>CHANGE IN REVENUE</b>	<b>671.3</b>	<b>671.3</b>	<b>671.3</b>	<b>671.3</b>	<b>671.3</b>	<b>671.3</b>
<b>FUND SOURCE #</b>	<b>1005</b>	<b>1005</b>	<b>1005</b>	<b>1005</b>	<b>1005</b>	<b>1005</b>

**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(671.3 )	(671.3 )	(671.3 )	(671.3 )	(671.3 )	(671.3 )
1005 GF/Program Receipt	671.3	671.3	671.3	671.3	671.3	671.3
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ 0.0

**ANALYSIS:** (Attach a separate page if necessary) Proposed Legislation of a 4% Workers' Compensation Self-insured Assessment on all self-insured employers would have a zero fiscal impact to the Workers' Compensation Division. The assessment to self-insured employers is similar to the premium tax paid by all insured employers. Exemption of the State is appropriate because the State already allocates 2.5 million to the Worker's Compensation general fund. If this bill is passed the State's contribution would be reduced, but it would still remain greater than the 4% private sector self insured employer assessment. The new program receipts would offset existing general fund allocations.

Prepared by: Paul Grossi, Director Phone: 465-2790  
Division: Workers' Compensation Date: 1/10/96  
Approved by Commissioner: Tom Cashen, Commissioner  
Agency: Department of Labor Date: 1/10/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
For further distribution information call the Governor's Legislative Office

**COMMITTEE COPY**  
Rev 10/94

# FISCAL NOTE

Bill Version: HB 416  
(H) Publish Date: 1-12-96

**STATE OF ALASKA  
1996 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Dept. Affected: Office of the Governor  
 Title: "An Act relating to fees and assessment of costs  
for certain services provided by state government...." BRU: Office of Management & Budget  
 Sponsor: Rules Committee Component: Governmental Coordination  
 Requester: Governor COMPONENT SERIAL NO. 18

**Expenditures/Revenues (Thousands of Dollars)**

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL			3.0	3.3	6.8	7.0
CONTRACTUAL			6.5	6.7	13.4	14.0
SUPPLIES			0.2	0.3	0.6	1.2
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>9.7</b>	<b>10.3</b>	<b>20.8</b>	<b>22.2</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )			32.5	33.8	67.8	70.4
------------------------	--	--	------	------	------	------

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match			(22.8)	(23.5)	(47.0)	(48.2)
1004 GF						
1005 GF/Program Receipts			32.5	33.8	67.8	70.4
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>9.7</b>	<b>10.3</b>	<b>20.8</b>	<b>22.2</b>

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS: (Attach a separate page if necessary)**

Sec 6 allows OMB to adopt regulations to charge for services related to consistency reviews under Alaska's Coastal Management Program. For certain types of large projects (e.g., oil and gas development outside of the common carrier pipeline, forest products manufacturing facilities and development, and other large scale proposals), it is cost-effective for the project proponent to have the early involvement of dedicated state staff which facilitates and expedites the review and permitting of their project. Where industry is willing to pay for dedicated staff, this legislation and fiscal note enables DGC to assemble a team consisting of staff from DGC, state agencies and, if applicable, affected coastal districts, to facilitate early design and review of particular projects. Fee levels would be negotiated based on specific project requirements.

While Alaska will always have large projects, without an established record, we cannot predict revenues from this source until those projects near design and permitting stage. State lead time is often less than a fiscal year. This fiscal note anticipates setting fee rates and gaging industry participation during the regulation process in FY97 and FY98. (continued on page 2)

Prepared by: Diane Mayer *Diane Mayer* Phone: 465-3562  
 Division: Governmental Coordination Date: 1/10/96

Approved by Commissioner: Jim Ayers, COS Date: 1/10/96  
 Agency: Office of the Governor

**COMMITTEE COPY** PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information, call the Governor's Legislative Office

**For informational purposes only**, this fiscal note shows application of the adopted regulations as it would apply to the operating budget of DGC only for a single project in FY99 and FY00. FY01 and FY02 are based on two large project activities. Each year is adjusted for the current inflation rate. Costs associated with additional state agencies and coastal district participation would be included in the fee negotiations with industry and would be distributed to participants through the RSA process.

Until such time as industry need and predictable fee receipts are determined, revenues generated through these fees will increase unrestricted revenue receipts to the GF and will assist in increasing available GF for legislative appropriation.

# FISCAL NOTE

4  
 Bill Version: HB 416  
 (H) Publish Date: 1-12-96

STATE OF ALASKA  
 1996 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Office of the Governor  
 Title: "An Act relating to fees or assessments of costs  
for certain services provided by state government,..." BRU: Commissions/Special Offices  
 Sponsor: Rules Committee Component: Human Rights Commission  
 Requester: Governor COMPONENT SERIAL NO. 1

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES	5.1	5.1	5.1	5.1	5.1	5.1
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )	5.1	5.1	5.1	5.1	5.1	5.1
------------------------	-----	-----	-----	-----	-----	-----

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	5.1	5.1	5.1	5.1	5.1	5.1
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>	<b>5.1</b>

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

The Commission receives many requests for training on preventing discrimination: from employers, realtors and other organizations. These training sessions may consist of one hour presentations on the agency's responsibilities or full-day workshops on subjects like preventing discrimination against individuals with disabilities and sexual harassment.

The Commission was once able to respond to all requests for education on Alaska's Human Rights Law and easily meet its role of preventing discrimination without impacting on its enforcement activities. The Commission now has fewer staff at a time when the public's demand for services has soared.

Additional revenue generated by training would help offset the cost of overtime for our investigative staff who have recently been determined overtime eligible.

Prepared by: Paula M. Haley, Executive Director *Mawson* Phone: -7474 x 241  
 Division: Human Rights Commission Date: 1/9/96  
 Approved by Commissioner: Jim Ayers, Chief of Staff *Jim Ayers* Date: 1/10/96  
 Agency: Office of the Governor

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**  
 For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

No. 3  
 Bill Version: HB 416  
 (H) Publish Date: 1-12-96

STATE OF ALASKA  
 1996 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: Fee Bill  
 Sponsor: Rules Committee  
 Requestor: Governor

Department Affected: Environmental Conservation  
 BRU: Statewide Public Services  
 Component: Statewide Public Services

COMPONENT SERIAL NO. 2058

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 01
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
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ( 1005 )	220.0	220.0	220.0	220.0	220.0	220.0
-----------------------------	-------	-------	-------	-------	-------	-------

FUND SOURCE

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	(220.0)	(220.0)	(220.0)	(220.0)	(220.0)	(220.0)
1005 GF/Program Receipt	220.0	220.0	220.0	220.0	220.0	220.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
C.her	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY96) 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: (Attach a separate page if necessary.)

Bill would allow the department to set and collect fees to review subdivision plans for sewage waste disposal or treatment. Fees collected would replace general funds currently funding salary costs of the technical staff conducting those reviews, salary costs of clerical staff and associated support costs.

Prepared by: Larry Jones  
 Division: Director, Division of Administrative Services

Phone: 465-5010  
 Date: 1/11/96

Approved by Commissioner: Lawrence Jones for Commissioner Burden  
 Agency: Department of Environmental Conservation

Date: 1/10/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information, call the Governor's Legislative Office

# FISCAL NOTE

No. 2  
 Bill Version: HB 416  
 (H) Publish Date: 1-12-96

**STATE OF ALASKA  
 1996 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_  
 Title: Fee Bill  
 Sponsor: Rules Committee  
 Requestor: Governor

Department Affected: Environmental Conservation  
 BRU: Environmental Health  
 Component: Laboratory Services

COMPONENT SERIAL NO. 2065

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 01
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
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ( 1005 )	100.0	100.0	100.0	100.0	100.0	100.0
-----------------------------	-------	-------	-------	-------	-------	-------

**FUND SOURCE**

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF March	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)
1005 GF/Program Receipt	100.0	100.0	100.0	100.0	100.0	100.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY96) 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:** (Attach a separate page if necessary.)

Bill would authorize the department to charge fees to regulate pesticides and broadcast chemicals. Proposed registration fees received from pesticide and broadcast chemical producers would replace general funds. No additional positions are planned.

Prepared by: Larry Jones *Lawrence Jones*  
 Division: Director, Division of Administrative Services

Phone: 465-5010  
 Date: 1/11/96

Approved by Commissioner: Lawrence Jones *for Commissioner Buroen*  
 Agency: Department of Environmental Conservation Date: 1/10/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information, call the Governor's Legislative Office

# FISCAL NOTE

No. 1  
 Version: HB 416  
 (H) Publish Date: 1-12-96

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Department: Commerce and Economic Development  
 Title: An Act relating to fees or assessment of costs for BRU: Occupational Licensing  
certain services provided by state government, .... Component: Operations  
 Sponsor: Rules Committee  
 Requestor: Governor COMPONENT SERIAL NO. 1844

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES	841.3	841.3	841.3	841.3	841.3	841.3
--------------------	-------	-------	-------	-------	-------	-------

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1091 Designated Program Receipts	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
1006 GF/MHTIA						
Other 1040 RESF	3.0	3.0	3.0	3.0	3.0	3.0
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 96) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

Section 1 of the bill amends AS 08.88.472(a) to allow real estate surety fund hearing costs on a claim for reimbursement to be charged to the surety fund. Currently, only costs associated with awarded claims may be paid from the fund. The funding source change of \$3.0 from Designated Program Receipts (1091) to the Real Estate Surety Fund (1040) reflect the statutory change made in Section 1. The \$3.0 identified is a very conservative amount since previously, only costs associated with awarded claims were identified. After the first year of charging all surety fund related hearing costs to the surety fund, full costs of related hearings will be documented.

Section 5 of the bill amends AS 43.70.030(a) to increase the business licensing fee from \$25 per year to \$75 biennially. Licenses are currently valid for two-years in which licensees pay \$50. There are approximately 67,300 business licensees which approximately half renew each year. Increasing the fee to \$75 will generate an additional \$841.3 to the General Fund.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144  
 Division: Occupational Licensing Date: January 10, 1996  
 Approved by Commissioner: William L. Hensley Date: 1/10/96  
 Agency: Commerce and Economic Development