

SB

278

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

APR 27 2004

SENATE FINANCE
COMMITTEE

DATE: 2/20/04

FURTHER:

DATE TURNED
IN TO OFFICE: 27 April 2004

Finance Committee considered SENATE BILL NO. 278

SB 278 LABOR & WORKFORCE DEVELOPMENT FEES

"An Act relating to fees for the inspection of recreational devices, for certificates of fitness for electrical wiring and plumbing, for filing voluntary flexible work hour plans, and for licenses for boiler operators; and providing for an effective date."

and recommends:

- be replaced with _____ CS SB 278 (FIN)
(as forthcoming)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero.	FN#
Labor- Wage & Hour	4/26/04			✓	
Labor- Mech. Inspect	4/26/04	1420			

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

APR 27 2004

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB278CS-DOLWD-WH-04-26-04
() Publish Date: _____

Revision Date/Time: 04-26-04 2:58 PM Department: Labor and Workforce Development
Title: Labor & Workforce Development Fees BRU: Labor Standards & Safety
Sponsor: Rules Committee Component: Wage and Hour
Requester: Senate FIN Component Number: 345

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 EXPENDITURES						
----------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: None
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The Senate Finance Committee substitute eliminates the proposed \$100 flexible work plan filing fee. The estimate cost to administer the flexible work plan program is \$2.5. This is calculated based on 240 flexible work plans filed annually whose review takes approximately 40 hours for an Investigator II (\$1.6) and 20 hours for an Administrative Clerk III (\$0.5). The non-personal services costs are \$0.4. The Governor's budget includes the cost of administering this program, which is funded with general fund dollars.

Prepared by: Grey Mitchell, Director Phone 465-4855
Division: Labor Standards & Safety Date/Time 4/26/04 2:57 PM
Approved by: Greg O'Claray, Commissioner Date 4/26/2004
Agency: Department of Labor and Workforce Development

APR 27 2004

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB278CS-DOLWD-MI-04-26-04
() Publish Date: _____

Revision Date/Time: 04-26-04 2:58 PM Department: Labor and Workforce Development
Title: Labor & Workforce Development Fees BRU: Labor Standards & Safety
Component: Mechanical Inspection
Sponsor: Rules Committee
Requester: Senate L&C Component Number: 346

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	80.8	80.8	80.8	80.8	80.8	80.8
Travel	22.0	22.0	22.0	22.0	22.0	22.0
Contractual	37.7	37.7	37.7	37.7	37.7	37.7
Supplies	1.5	1.5	1.5	1.5	1.5	1.5
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	142.0	142.0	142.0	142.0	142.0	142.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1172)	223.4	223.4	223.4	223.4	223.4	223.4
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1172 Building Safety Account	142.0	142.0	142.0	142.0	142.0	142.0
TOTAL	142.0	142.0	142.0	142.0	142.0	142.0

Estimate of any current year (FY2004) cost: None
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Attached.

Prepared by: Grey Mitchell, Director Phone 465-4855
Division: Labor Standards & Safety Date/Time 4/26/04 3:00 PM
Approved by: Greg O'Claray, Commissioner Date 4/26/2004
Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

BILL VERSION: SB278CS-DOLWD-MI-04-26-04

ANALYSIS: (continued)

The bill creates two new fees and increases an existing fee charged by the department:

Section 1: This section creates a \$200.00 fee for recreational devices inspected by the department. This fee is intended to cover costs associated with inspector certification and travel. Estimated receipts are \$15.0 annually.

Section 2: This section creates a \$200.00 certification fee for boiler operator licenses. This fee is intended to cover existing administrative costs associated with issuing the licenses. Positions have currently been held vacant due to lack of revenue. Estimated receipts are \$76.4 annually.

Section 3: This section increases the fees for electrical and plumbing certificates of fitness from \$160.00 to \$200.00. This increase is expected to generate sufficient revenues to add an Electrical Inspector position and associated costs to enforce certificate of fitness requirements and perform inspections. Estimated receipts are \$132.0 annually.

Submitted after bill reported
from Committee - ~~not~~ to be
addressed in House

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB278CS-DOLWD-MI-04-27-04
() Publish Date: _____

Revision Date/Time: 04-27-04 1:30 PM
Title: Labor & Workforce Development Fees
Sponsor: Rules Committee
Requester: Senate FIN

Department: Labor and Workforce Development
BRU: Labor Standards & Safety
Component: Mechanical Inspection
Component Number: 346

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	80.8	80.8	80.8	80.8	80.8	80.8
Travel	22.0	22.0	22.0	22.0	22.0	22.0
Contractual	37.7	37.7	37.7	37.7	37.7	37.7
Supplies	1.5	1.5	1.5	1.5	1.5	1.5
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	142.0	142.0	142.0	142.0	142.0	142.0

unchanged

CAPITAL EXPENDITURES						
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changed

CHANGE IN REVENUES (1172)	218.4	218.4	218.4	218.4	218.4	218.4
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1172 Building Safety Account	142.0	142.0	142.0	142.0	142.0	142.0
TOTAL	142.0	142.0	142.0	142.0	142.0	142.0

Estimate of any current year (FY2004) cost: None
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Attached.

Prepared by: Grey Mitchell, Director
Division: Labor Standards & Safety
Approved by: Greg O'Claray, Commissioner
Agency: Department of Labor and Workforce Development

Phone: 465-4855
Date/Time: 4/27/04 1:32 PM
Date: 4/27/2004

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

BILL VERSION: SB278CS-DOLWD-MI-04-27-04

ANALYSIS: (continued)

The bill creates two new fees and increases an existing fee charged by the department:

Section 1: This section creates a \$200.00 fee for recreational devices inspected by the department. This fee is intended to cover costs associated with inspector certification and travel. Estimated receipts are \$10.0 annually.

Section 2: This section creates a \$200.00 certification fee for boiler operator licenses. This fee is intended to cover existing administrative costs associated with issuing the licenses. Positions have currently been held vacant due to lack of revenue. Estimated receipts are \$76.4 annually.

Section 3: This section increases the fees for electrical and plumbing certificates of fitness from \$160.00 to \$200.00. This increase is expected to generate sufficient revenues to add an Electrical Inspector position and associated costs to enforce certificate of fitness requirements and perform inspections. Estimated receipts are \$132.0 annually.

Revised Final
per Legal Memo
23-GS2111V

Version "I" replaces
Version "H"

4/28/04

1:40pm

OK'd per
Sheila
2:08PM
4/28/04

CS FOR SENATE BILL NO. 278(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fees for the inspection of recreational devices, including
2 instructional devices, for certificates of fitness for electrical wiring and plumbing, and
3 for licenses for boiler operators; relating to the building safety account; and providing
4 for an effective date."

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

6 * Section 1. AS 05.20.060 is amended by adding new subsections to read:

7 (b) Upon inspection of a device under this section, the owner or operator of
8 the device shall pay the department a fee of \$200 for the inspection of that device.
9 The department shall waive the inspection fee if the owner or operator of the device
10 uses a private inspector who is certified by a national organization to inspect devices
11 and provides the inspection report to the department.

12 (c) Fees collected under this section shall be deposited in the building safety
13 account created by AS 44.31.025.

14 * Sec. 2. AS 18.60.395 is amended by adding a new subsection to read:

recreational
deleted

1 (e) A person shall pay a nonrefundable application fee of \$200 when applying
2 for a license as a boiler operator. Fees collected under this section shall be deposited
3 in the building safety account created under AS 44.31.025.

4 * **Sec. 3.** AS 18.62.030(a) is amended to read:

5 (a) An applicant shall pay a nonrefundable application and examination fee of
6 \$50 when applying for a trainee or journeyman level certificate of fitness. The
7 department shall charge a biennial fee of \$200 [\$160] for the issuance of a trainee or
8 journeyman level certificate or a renewal certificate, to be prorated if issued for less
9 than two years, and a fee of \$25 for the issuance of a duplicate certificate.

10 * **Sec. 4.** AS 37.05.146(c)(53) is amended to read:

11 (53) receipts of fees for certain inspections deposited under
12 AS 05.20.060, AS 18.60.360, 18.60.395, 18.60.800, and AS 18.62.030 in the building
13 safety account created under AS 44.31.025;

14 * **Sec. 5.** AS 44.31.025 is amended to read:

15 **Sec. 44.31.025. Building safety account.** The building safety account is
16 created in the state treasury. The legislature may appropriate money from the account
17 for necessary costs incurred by the Department of Labor and Workforce Development
18 in the administration of AS 05.20, AS 18.60.180 - 18.60.395, 18.60.800 - 18.60.820,
19 and AS 18.62. Nothing in this section creates a dedicated fund or dedicates the money
20 in the account for a specific purpose.

21 * **Sec. 6.** This Act takes effect July 1, 2004.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 27, 2004

SUBJECT: Draft of CSSB 278(FIN) relating to fees
(Work Order No. 23-GS2111\H)

TO: Senator Lyda Green
Senator Gary Wilken
Co-Chairs, Senate Finance Committee
Attn: Mindy

FROM:  Theresa L. Bannister
Legislative Counsel

This memo accompanies the committee substitute described above.

1. New fee waiver language. Please be aware that the new fee waiver language added as the second sentence of AS 05.20.060(b) implies that the owner/operator may choose the inspector, which is not consistent with AS 05.20.040.

2. Reference to "recreational devices." I suggest deleting "recreational devices" and inserting "devices" in AS 02.20.060(b), unless the intent is for "recreational devices" to have a different meaning from "devices." "Device" is defined at AS 05.20.120.

If I may be of further assistance, please advise.

TLB:mdr
04-194.mdr

Enclosure

Attention: Deb Fin
Of Senator Green's office
RE: CS SB 278 (FIN)
Date: 4/27/04 Time: 12:30pm

The attached Senate Finance CS incorporates the amendment(s) your boss sponsored. Please review and approve so the bill can be forwarded to the Senate Secretary.

The CS is your copy.

Thanks,
Senate Finance Secretary
Mindy #4935
Robin #2618

Approved: fe
(please initial)

Return

Amend #1
ALSO:
PIS. NOTE
Legal
Memo.
Would have to
talk to Labor
about legal's memo.
Not our amendment.
fe

4/28 12:30

Terry Bannister to draft
new CS to
incorporate recommendations
re: recreational vehicles

Attention: Deb Fitter
Of Senator Green's office
RE: CS SB 278 (FIN)
Date: 4/27/04 Time: 12:30 PM

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Proof

23-GS2111H

CS FOR SENATE BILL NO. 278(FIN)

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION**

BY THE SENATE FINANCE COMMITTEE

Offered:
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FOR AN ACT ENTITLED

1 "An Act relating to fees for the inspection of recreational devices, including
2 instructional devices, for certificates of fitness for electrical wiring and plumbing, and
3 for licenses for boiler operators; relating to the building safety account; and providing
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language deleted

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MEMORANDUM

April 27, 2004

SUBJECT: Draft of CSSB 278(FIN) relating to fees
(Work Order No. 23-GS2111\H)

TO: Senator Lyda Green
Senator Gary Wilken
Co-Chairs, Senate Finance Committee
Attn: Mindy

FROM: ^{TLB} Theresa L. Bannister
Legislative Counsel

This memo accompanies the committee substitute described above.

1. New fee waiver language. Please be aware that the new fee waiver language added as the second sentence of AS 05.20.060(b) implies that the owner/operator may choose the inspector, which is not consistent with AS 05.20.040.
2. Reference to "recreational devices." I suggest deleting "recreational devices" and inserting "devices" in AS 02.20.060(b), unless the intent is for "recreational devices" to have a different meaning from "devices." "Device" is defined at AS 05.20.120.

If I may be of further assistance, please advise.

TLB:mdr
04-194.mdr

Enclosure

"H" was retrieved and
was replaced
with "I" 4/28/04
1:30pm
Robin



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

FAX COVER SHEET

DATE: 27 April 2004 TIME: 9:20 am

TO: Legal Services

NUMBER OF PAGES, INCLUDING COVER SHEET: 3

FROM: MINDY ROWLAND
SENATE FINANCE COMMITTEE SECRETARY
PHONE: 465-4935
FAX: 465-2187

NOTES: Final Please
CS SB 278 (FIN) 23-652111ND
plus 2 amendments - attached

Call if any questions

Thx
Mindy

SENATE FINANCE
COMMITTEE

Adopted

Amendment Number: #1

Bill Number: SB 278

23-GS2111D.1

Sponsor: Green Date: 4/26/04

Bannister

Logged In By: Robin

4/22/04

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GREEN

TO: CSSB 278(L&C)

- 1 Page 1, lines 2 - 3:
- 2 Delete "for filing voluntary flexible work hour plan agreements,"
- 3
- 4 Page 2, lines 7 - 10:
- 5 Delete all material.
- 6
- 7 Renumber the following bill sections accordingly.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Revisor's notes. — Paragraph (15) was enacted as (14). Renumbered in 1996.

Cross references. — For legislative purpose in enacting paragraph (13), see § 1, ch. 13, SLA 1993 in the Temporary and Special Acts.

Effect of amendments. — The 1993 amendment, effective May 8, 1993, added paragraph (13).

The first 1996 amendment, effective May 23, 1996, added paragraph (14).

The second 1996 amendment, effective July 1, 1997, added paragraph (15).

The 1997 amendment, effective May 9, 1997, added paragraph (16).

The 1999 amendment, effective May 12, 1999, in paragraph (6), inserted "nonprofit" near the beginning and "or other nonprofit organization" near the middle, and added "and are related only to the organization's nonprofit activities; for purposes of this paragraph, 'nonprofit activities' means activities for which the nonprofit organization does not incur a liability for unrelated business income tax under 26 U.S.C. 513, as amended" at the end; in paragraph (16), added subparagraph designations (A) to (C) and deleted "or an individual who" at the beginning of subparagraph (B), and added subparagraph (C) and made related stylistic changes.

NOTES TO DECISIONS

Employees covered by and exempt from Fair Labor Standards Act. — AS 23.10.050 — 23.10.150 apply to both employees covered by the Fair Labor Standards Act, 29 U.S.C. §§ 201-219, and those who are, because of insufficient connections to interstate commerce, exempt from the Fair Labor Standards Act. *Webster v. Bechtel, Inc.*, 621 P.2d 890 (Alaska 1980).

Helicopter pilot not classified as professional. — A commercial helicopter pilot is not a professional for purposes of the Alaska Wage and Hour Act. *Dayhoff v. Temsco Helicopters, Inc.*, 848 P.2d 1367 (Alaska 1993).

Prisoners excluded from operation of chapter. — See *McGinnis v. Stevens*, 543 P.2d 1221 (Alaska 1975).

Restaurant managers. — Partial summary judgment for plaintiffs was improper where superior court was obliged to consider district manager's testimony that restaurant managers such as plaintiffs spent less than 10 percent of their time performing tasks otherwise performed by hourly employees; a genuine issue of material fact existed as to whether plaintiffs spent more than 20 percent of their time on duties not directly and closely related to management of the restaurant. *American Restaurant Group v. Clark*, 889 P.2d 595 (Alaska 1995).

Collateral references. — Who is employed in "executive or administrative capacity" within exemptions from minimum wage and maximum hours provisions of Fair Labor Standards Act. 40 ALR2d 332; 124 ALR Fed. 1; 131 ALR Fed. 1.

Who is employed in "professional capacity," within exemption, under 29 USCS § 213(a)(1), from minimum wage and maximum hours provisions of Fair Labor Standards Act. 77 ALR Fed. 681.

Employee training time as exempt from minimum

Retail manager not exempt. — Although the retail store manager supervised employees and made more than \$600 per week, he was not exempt from the Alaska Wage and Hour Act since he spent more than 20% of his time in retail sales, an activity normally performed by nonmanagerial employee. *Grimes v. Kinney Shoe Corp.*, 902 F. Supp. 1070 (D. Alaska 1995).

Employee held not exempt. Employee was not an exempt administrative employee and was entitled to overtime pay where the undisputed record evidence established that employer failed to pay employee on a salary basis and required him to work under direct supervision. *Whitesides v. U-Haul Co. of Alaska*, 16 P.3d 729 (Alaska 2001).

Applied in Alaska Int'l Indus., Inc. v. Musarra, 602 P.2d 1240 (Alaska 1979); *Era Aviation, Inc. v. Lindfors*, 17 P.3d 40 (Alaska 2000).

Quoted in Alyeska Pipeline Serv. Co. v. Shook, 978 P.2d 86 (Alaska 1999); *Bruns v. Municipality of Anchorage*, 23 P.3d 641 (Alaska 2001).

Cited in Dresser Indus., Inc. v. Alaska Dept of Labor, 633 P.2d 998 (Alaska 1981), cert. denied, 455 U.S. 1019, 102 S. Ct. 1716, 72 L. Ed. 2d 137 (1982).

wage and overtime requirements of Fair Labor Standards Act. 80 ALR Fed. 246.

Who is "employee employed in agriculture" and therefore exempt from overtime provisions of Fair Labor Standards Act by § 13 (b)(12) of Act (29 U.S.C.A. § 213(b)(12)). 162 ALR Fed. 575.

Validity and construction of domestic service provisions of Fair Labor Standards Act (29 U.S.C. §§ 201 et seq.). 165 ALR Fed. 163.

Sec. 23.10.060. Payment for overtime. (a) An employer who employs employees engaged in commerce or other business, or in the production of goods or materials in the state may not employ an employee for a workweek longer than 40 hours or for more than eight hours a day. This section does not apply to the employment of a person acting in a supervisory capacity.

(b) If an employer finds it necessary to employ an employee for hours in excess of the limits set in this subsection, overtime compensation for the overtime at the rate of one and one-half times the regular rate of pay shall be paid. An employee is entitled to overtime compensation for hours worked in excess of eight hours a day. An employee is also entitled to overtime compensation for hours worked in excess of 40 hours a week; in

netting or
etable life;

or about a

ubdivision
a furlough

haritable,
ie employ-
red to the

nonprofit
for which
income tax

r property

ofessional
oyed on a

more than

a parent
t requires
nd board

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owners of
t contrac-
pts from

permits,
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except to

egistered
hich the
year;

le, civic,
yee rela-
nization
rogram);

; am § 1
115 SLA
; am § 9

determining whether an employee has worked more than 40 hours a week, the number of hours worked shall be determined without including hours that are worked in excess of eight hours in a day because the employee has or will be separately awarded overtime compensation based on those hours.

(c) This section is considered included in all contracts of employment.

(d) This section does not apply with respect to

(1) an employee employed by an employer employing less than four employees in the regular course of business, as "regular course of business" is defined by regulations of the commissioner;

(2) an employee employed in handling, packing, storing, pasteurizing, drying, preparing in their raw or natural state, or canning agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products;

(3) an employee of an employer engaged in small mining operations where not more than 12 employees are employed if the employee is employed not in excess of 12 hours a day or 56 hours a week during a period or periods of not more than 14 workweeks in the aggregate in a calendar year during the mining season, as the season is defined by the commissioner;

(4) an employee engaged in agriculture;

(5) an employee employed in connection with the publication of a weekly, semiweekly, or daily newspaper with a circulation of less than 1,000;

(6) a switchboard operator employed in a public telephone exchange that has fewer than 750 stations;

(7) an employee in an otherwise exempted employment or proprietor in a retail or service establishment engaged in handling telegraphic, telephone, or radio messages for the public under an agency or contract arrangement with a telegraph or communications company where the telegraph message or communications revenue of the agency does not exceed \$500 a month;

(8) an employee employed as a seaman;

(9) an employee employed in planting or tending trees, cruising, or surveying; or bucking, or felling timber, or in preparing or transporting logs or other forestry products to the mill, processing plant, railroad, or other transportation terminal if the number of employees employed by the employer in the forestry or lumbering operations does not exceed 12;

(10) an individual employed as an outside buyer of poultry, eggs, cream, or milk in their raw or natural state;

(11) casual employees as may be liberally defined by regulations of the commissioner;

(12) an employee of a hospital whose employment includes the provision of medical services;

(13) work performed by an employee under a flexible work hour plan if the plan is included as part of a collective bargaining agreement;

(14) work performed by an employee under a voluntary flexible work hour plan if

(A) the employee and the employer have signed a written agreement and the written agreement has been filed with the department; and

(B) the department has issued a certificate approving the plan that states the work is for 40 hours a week and not more than 10 hours a day; for work over 40 hours a week or 10 hours a day under a flexible work hour plan not included as part of a collective bargaining agreement, compensation at the rate of one and one-half times the regular rate of pay shall be paid for the overtime;

(15) an individual employed as a line haul truck driver for a trip that exceeds 100 road miles one way if the compensation system under which the truck driver is paid includes overtime pay for work in excess of 40 hours a week or for more than eight hours a day and the compensation system requires a rate of pay comparable to the rate of pay required by this section;

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(16) an individual employed as a community health aide by a local or regional health organization as those terms are defined in AS 18.28.100;

(17) work performed by a mechanic primarily engaged in the servicing of automobiles, light trucks, and motor homes if the mechanic

(A) is employed as a flat-rate mechanic by a nonmanufacturing establishment primarily engaged in the business of selling or servicing motor vehicles;

(B) has signed a written agreement with the employer that specifies the mechanic's flat hourly rate of pay and the automotive manual or manuals on which the flat rate is to be based;

(C) is compensated for all hours worked in any capacity for that employer up to and including eight hours a day and 40 hours a week at an hourly rate that is not less than the greater of

(i) 75 percent of the flat hourly rate of pay agreed upon by the employer and employee under (B) of this paragraph; or

(ii) twice the state minimum wage; and

(D) is compensated for all hours worked in any capacity for that employer in excess of eight hours a day or 40 hours a week at one and one-half times the rate described in (C) of this paragraph;

(18) work performed by an employee under a voluntary written agreement addressing the trading of work shifts among employees if

(A) the employee is employed by an air carrier subject to subchapter II of the Railway Labor Act (45 U.S.C. 181-188), including employment as a customer service representative;

(B) the trading agreement is not a flexible work hour plan entered into under (13) or (14) of this subsection;

(C) the trading agreement is filed with the employee's employer; and

(D) the trading agreement states that the employee is not entitled to receive overtime for any hours worked by the employee when the employee voluntarily works those hours under a shift trading practice under which the employee has the opportunity, in the same or other work weeks, to reduce hours worked by voluntarily offering a shift for trade or reassignment.

(e) The minimum amount due an employee under (d)(17)(C) and (D) of this section shall be figured on a weekly basis. (§ 3 ch 171 SLA 1959; am § 1 ch 3 SLA 1962; am § 1 ch 243 SLA 1970; am § 1 ch 45 SLA 1972; am § 33 ch 127 SLA 1974; am § 1 ch 31 SLA 1980; am § 3 ch 47 SLA 1983; am § 1 ch 160 SLA 1990; am § 1 ch 103 SLA 1992; am § 5 ch 13 SLA 1993; am §§ 1, 2 ch 123 SLA 1998; am § 1 ch 39 SLA 1999; am § 2 ch 43 SLA 1999)

Revisor's notes. — The paragraphs of (d) of this section were renumbered in 1990 and 1996 to reflect the deletion of repealed paragraphs.

Cross references. — For legislative findings concerning the amendment of subsection (b) by § 2, ch. 43, SLA 1999, see § 1, ch. 43, SLA 1999 in the 1999 Temporary & Special Acts.

Effect of amendments. — The 1992 amendment, effective September 18, 1992, in subsection (d), added paragraph (16) and made stylistic changes.

The 1993 amendment, effective May 8, 1993 repealed former paragraph (d)(7).

The 1998 amendment, effective September 21, 1998, added paragraph (d)(17) and subsection (e).

The first 1999 amendment, effective June 2, 1999, added paragraph (d)(18).

The second 1999 amendment, effective June 2, 1999, rewrote subsection (b).

Opinions of attorney general. — The Fair Labor Standards Act, 29 U.S.C. §§ 201-219 does not expressly preempt the AS 23.10.050 — 23.10.150 on the

question of whether airline employees are excluded from the mandatory overtime directive of this section. April 15, 1980, Op. Att'y Gen.

In the case of pilots, flight crews, and other interstate air carrier employees whose activities are directly and substantially related to the transportation activities of the carrier, and who are covered by a valid existing collective bargaining agreement or agreements with the carrier, the state is precluded from applying its overtime laws due to the preemptive nature of the Railway Labor Act, 45 U.S.C. §§ 151-188. April 15, 1980, Op. Att'y Gen.

In instances where no collective bargaining agreements apply, crews of interstate air carriers are nonetheless beyond the jurisdiction of state overtime law because of certain commerce clause implications. April 15, 1980, Op. Att'y Gen.

Nonflight personnel of interstate carriers who are not covered by valid existing collective bargaining agreements are not exempt from state law, and as to



The Voice of Small Business®

ALASKA

April 19, 2004

Senator Gary Wilken
Co-Chairman, Senate Finance Committee
State Capitol Room 518
Juneau, Alaska 99801-1182

Dear Senator Wilken,

NFIB/Alaska is seeking your support for removal of Section 4 of CSSB 278 (L&C). This section creates a \$100 fee for each voluntary flexible work plan filed with the Department of Labor.

Alaska law provides for a voluntary flexible work plan agreed on by the employer and the employee that allows for a 40-hour work week with 10-hour days without overtime. Current law requires the Department of Labor to issue a certificate approving the plan. On the 2004 NFIB member ballot, 76 percent of the members responding voted in favor of removing the Department of Labor Certificate and simply require a signed, written agreement between the employee and the employer.

State law allows a 40 hour work week consisting of 4 ten hour days. The extra time and paperwork involved with approving the plan and issuing a certificate is unnecessary. Charging \$100 for each plan is strongly opposed by NFIB.

Removing Section 4 (page 2, lines 7-10) in SB 278 removes the new \$100 fee, not the requirement for the certificate.

Sincerely,

A handwritten signature in black ink, appearing to read "Thyes J. Shaub".

Thyes J. Shaub
NFIB/Alaska

SENATE FINANCE COMMITTEE
4/16/03 2003 COMMITTEE ACTION

Bill Number	SB 278	
Amendment	#1	
Motion	abpt	
<u>Motion by</u>	Green	
<u>Objection by</u>	Wilken	
<u>Removed</u>	✓	
<u>Second Objection by</u>	Bunde - removed	
<u>Committee Member:</u>	Y	<u>Vote</u> N
Senator Olson		
Senator Stevens		
Senator Bunde		
Senator Dyson		
Senator Hoffman		
Co-Chair Green		
Co-Chair Wilken		
<u>Tally</u>		
Yea		
Nay		
Absent		
<u>MOTION</u>	PASS	

* pending updated fiscal note

SENATE FINANCE
COMMITTEE

ADOPTED SENATE FINANCE
COMMITTEE

Amendment Number: #2
Bill Number: SB 278
Sponsor: Willken Date: 4/27/04
Logged In By: Rokeberg

Amended by: _____
Bill Number: _____
Sponsor: _____
Logged In By: _____

Alaska Department of Labor and Workforce Development
Analysis of CSHB 402 (L&C)
Companion Bill to SB 278

In the House Labor and Commerce Committee, the companion bill of SB 278 (HB 402) was amended to allow for an exemption from the fee requirement for an owner or operator of a device that uses an inspector certified by a national organization. The department supports this amendment, which was designed primarily to address concerns raised by Claire Morton of Golden Wheel Amusement Company, which uses a private, nationally certified inspector to perform inspections.

Another amendment was made by Representative Rokeberg in the House Labor and Commerce Committee to delete section 4.

If possible we would like to amend page 1, line 9 of CSSB 278 by inserting the following sentence in paragraph (b):

{

The department shall waive the inspection fee if the owner or operator of the device uses a private inspector who is certified by a national organization to inspect recreational devices and provides the inspection report to the department.

Alaska Department of Labor and Workforce Development
CSSB 278 (L&C) Sectional Analysis

- **Section 1** establishes a \$200 fee for recreational device inspection services. Currently there is no fee for these services. The revenue will be used to cover inspector certification and travel costs associated with performing recreational device inspections in Alaska. This fee is expected to generate \$15.0 in revenue.
- **Section 2** establishes a \$200 fee for boiler operator license applications. Currently there are no fees for these licenses. The revenue will be used to cover administrative costs in the Mechanical Inspection section associated with program costs including testing applicants, issuing boiler operator licenses and maintaining licensing data. At \$200 for a three-year license, the annual cost (\$67.00) is similar to charges for other certificates of fitness issued by the department. This new fee is expected to generate \$76.4 in revenue.
- **Section 3** increases certificate of fitness (licensing) fees for electricians and plumbers to cover inspection and administrative costs in the Mechanical Inspection section. Increasing this biennial licensing fee from \$160 to \$200 is expected to provide revenues necessary to add an electrical inspector position and to fill an electrical inspector position that has been kept vacant due to revenue shortages. Currently, there is one state electrical inspector in Wasilla to cover the entire state. These fees were last adjusted on July 1, 1993. The licensing fee increase equates to \$20 per year. The additional revenue, which will be deposited in the Building Safety Account for the Mechanical Inspection section's programs, is expected to be \$132.0.
- **Section 4** establishes a \$100 filing fee for flexible work hour plans. These plans must be reviewed and approved by the Wage and Hour section under the overtime pay exemption in AS 23.10.060(d)(14). This new fee is expected to generate \$24.0 in revenue.
- **Sections 5 and 6** establish that the fees for recreational device inspections and boiler operator licensing shall be deposited into the Building Safety Account. The Mechanical Inspection section programs are the only programs funded through this sub-account of the General Fund.
- **Section 7** establishes an effective date of July 1, 2004.

Alaska Department of Labor and Workforce Development
Analysis of CSHB 402 (L&C)
Companion Bill to SB 278

In the House Labor and Commerce Committee, the companion bill of SB 278 (HB 402) was amended to allow for an exemption from the fee requirement for an owner or operator of a device that uses an inspector certified by a national organization. The department supports this amendment, which was designed primarily to address concerns raised by Claire Morton of Golden Wheel Amusement Company, which uses a private, nationally certified inspector to perform inspections.

Another amendment was made by Representative Rokeberg in the House Labor and Commerce Committee to delete section 4.

If possible we would like to amend page 1, line 9 of CSSB 278 by inserting the following sentence in paragraph (b):

The department shall waive the inspection fee if the owner or operator of the device uses a private inspector who is certified by a national organization to inspect recreational devices and provides the inspection report to the department.

SB278

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US



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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 22, 2004

The Honorable Gene Therriault
President of the Senate
Alaska State Legislature
State Capitol, Room 107
Juneau, AK 99801-1182

Dear President Therriault:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to fees for the inspection of recreational devices, for inspection and issuance of certificates of fitness for electrical wiring and plumbing, for filing of voluntary flexible work hour plans, and for licenses for boiler operators. The Department of Labor (Department) spends time and state funds inspecting, reviewing, approving, or denying all of the above activities. It is only fair that the individuals receiving the benefit of the Department's efforts pay for those services.

Under AS 05.20.060, the Department conducts inspections of recreational devices to ensure public safety. Recreational devices include, but are not limited to, ski tows, roller coasters, merry-go-rounds, and ferris wheels. If an inspection reveals a defect that is an immediate safety hazard, the Department can shut down the device until the problem is fixed. This bill would allow the Department to collect an inspection fee of \$200 from the owner or operator for each recreational device inspected.

Under AS 18.60.395, a person can apply to the Department for a boiler operator license. The Department reviews the application for compliance with its regulations and standards for boiler operators. This bill would allow the Department to collect an application fee of \$200 when a person applies for a boiler operator license.

Under AS 18.62.030, except in limited situations, a person is required to obtain a certificate of fitness from the Department before the person can perform work under AS 18.50.580 (Electrical Safety Code) or AS 18.60.705 (Plumbing Code). Currently, an applicant for a certificate of fitness must pay a biennial application fee of \$160. This bill would increase the fee to \$200.

The Honorable Gene Therriault

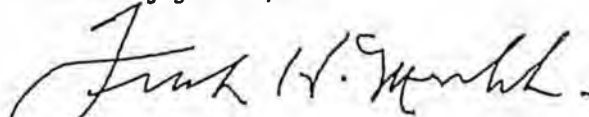
January 22, 2004

Page 2

Under AS 23.10.060(d)(14), an employer is required to obtain Department approval of the employer's proposed voluntary flexible work hour plan. Flexible work hour plans, for example, allow an employee to work 4 days of 10 hours each rather than 5 days of 8 hours each without additional overtime expense to the employer. The Department reviews the plan to make sure it meets certain requirements of Alaska's wage and hour laws. The bill would require an employer to pay a \$100 fee when it files a plan for Department approval.

I urge your prompt and favorable action on this measure.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Frank H. Murkowski". The signature is written in a cursive style with a large initial "F" and a long horizontal stroke at the end.

Frank H. Murkowski
Governor

Enclosure

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB278CS-DOLWD-WH-04-15-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Labor & Workforce Development Fees BRU: Labor Standards & Safety
 Component: Wage and Hour
 Sponsor: Rules Committee
 Requester: Senate L&C Component Number: 34F

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 EXPENDITURES						
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CHANGE IN REVENUES (1005)	24.0	24.0	24.0	24.0	24.0	24.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(24.0)	(24.0)	(24.0)	(24.0)	(24.0)	(24.0)
1005 GF/Program Receipts	24.0	24.0	24.0	24.0	24.0	24.0
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: None
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 4 of this bill creates a non-refundable \$100.00 fee for processing and filing a voluntary flexible work hour plan. This fee will cover the administrative and enforcement expenses associated with flexible work hour plans. The costs associated with these plans are currently funded with general funds that will be replaced by the receipts from this fee. Estimated receipts are \$24.0 annually.

Prepared by: Grey Mitchell, Director Phone 465-4855
 Division: Labor Standards & Safety Date/Time 4/15/04 10:39 AM
 Approved by: Greg O'Claray, Commissioner Date 4/15/2004
 Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB278CS-DOLWD-MI-04-15-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Labor & Workforce Development Fees BRU: Labor Standards & Safety
 Component: Mechanical Inspection
 Sponsor: Rules Committee
 Requester: Senate L&C Component Number: 346

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	80.8	80.8	80.8	80.8	80.8	80.8
Travel	22.0	22.0	22.0	22.0	22.0	22.0
Contractual	37.7	37.7	37.7	37.7	37.7	37.7
Supplies	1.5	1.5	1.5	1.5	1.5	1.5
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	142.0	142.0	142.0	142.0	142.0	142.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1172)	223.4	223.4	223.4	223.4	223.4	223.4
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1033 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1172 Building Safety Account	142.0	142.0	142.0	142.0	142.0	142.0
TOTAL	142.0	142.0	142.0	142.0	142.0	142.0

Estimate of any current year (FY2004) cost: None

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Attached.

Prepared by: Grey Mitchell, Director Phone 465-4855
 Division: Labor Standards & Safety Date/Time 4/15/04 10:40 AM
 Approved by: Greg O'Claray, Commissioner Date 4/15/2004
 Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

BILL VERSION: SB278CS-DOLWD-MI-04-15-04

ANALYSIS: (continued)

The bill creates two new fees and increases an existing fee charged by the department:

Section 1: This section creates a \$200.00 fee for recreational devices inspected by the department. This fee is intended to cover costs associated with inspector certification and travel. Estimated receipts are \$15.0 annually.

Section 2: This section creates a \$200.00 certification fee for boiler operator licenses. This fee is intended to cover existing administrative costs associated with issuing the licenses. Positions have currently been held vacant due to lack of revenue. Estimated receipts are \$76.4 annually.

Section 3: This section increases the fees for electrical and plumbing certificates of fitness from \$160.00 to \$200.00. This increase is expected to generate sufficient revenues to add an Electrical Inspector position and associated costs to enforce certificate of fitness requirements and perform inspections. Estimated receipts are \$132.0 annually.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: SB 278
(S) Publish Date: 1/23/04

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
Title: "An Act relating to fees..." BRU: Labor Standards & Safety
Component: Wage and Hour
Sponsor: Rules Committee
Requester: Governor Component Number: 345

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 EXPENDITURES						
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CHANGE IN REVENUES (1005)	24.0	24.0	24.0	24.0	24.0	24.0
------------------------------------	-------------	-------------	-------------	-------------	-------------	-------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(24.0)	(24.0)	(24.0)	(24.0)	(24.0)	(24.0)
1005 GF/Program Receipts	24.0	24.0	24.0	24.0	24.0	24.0
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: None
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 4 of this bill creates a non-refundable \$100.00 fee for processing and filing a voluntary flexible work hour plan. This fee will cover the administrative and enforcement expenses associated with flexible work hour plans. The costs associated with these plans are currently funded with general funds that will be replaced by the receipts from this fee. Estimated receipts are \$24.0 annually.

Prepared by: Gray Mitchell, Director Phone 465-4855
Division: Labor Standards & Safety Date/Time 12/22/03 1:37 PM
Approved by: Greg O'Claray, Commissioner Date 12/22/2003
Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1

Bill Version: SB 278

(S) Publish Date: 1/23/04

Revision Date/Time (Note if correction):
Title: "An Act relating to fees..."

Department: Labor and Workforce Development

BRU: Labor Standards & Safety

Component: Mechanical Inspection

Sponsor: Rules Committee

Requester: Governor

Component Number: 346

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	80.8	80.8	80.8	80.8	80.8	80.8
Travel	22.0	22.0	22.0	22.0	22.0	22.0
Contractual	24.1	24.1	24.1	24.1	24.1	24.1
Supplies	15.1	15.1	15.1	15.1	15.1	15.1
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	142.0	142.0	142.0	142.0	142.0	142.0

CAPITAL EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010

CHANGE IN REVENUES (1172)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
	218.4	218.4	218.4	218.4	218.4	218.4

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1172 Building Safety Account	142.0	142.0	142.0	142.0	142.0	142.0
TOTAL	142.0	142.0	142.0	142.0	142.0	142.0

Estimate of any current year (FY2004) cost: None

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

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

See Attached.

Prepared by: Grey Mitchell, Director

Division: Labor Standards & Safety

Approved by: Greg O'Clary, Commissioner

Agency: Department of Labor and Workforce Development

Phone 465-4855

Date/Time 12/22/03 1:38 PM

Date 12/22/2003

ANALYSIS: (continued)

The bill creates two new fees and increases an existing fee charged by the department:

Section 1: This section creates a \$200.00 fee for amusement devices inspected by the department. This fee is intended to cover costs associated with inspector certification and travel. Estimated receipts are \$10.0 annually.

Section 2: This section creates a \$200.00 certification fee for boiler operator licenses. This fee is intended to cover existing administrative costs associated with issuing the licenses. Positions have currently been held vacant due to lack of revenue. Estimated receipts are \$76.4 annually.

Section 3: This section increases the fees for electrical and plumbing certificates of fitness from \$160.00 to \$200.00. This increase is expected to generate sufficient revenues to add an Electrical Inspector position and associated costs to enforce certificate of fitness requirements and perform inspections. Estimated receipts are \$132.0 annually.

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 1/23/04

FURTHER: Finance

Date of 5-Day Notice: 2/5/04
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2/19/04

Labor and Commerce Committee considered SENATE BILL NO. 278

SB 278 LABOR & WORKFORCE DEVELOPMENT FEES

"An Act relating to fees for the inspection of recreational devices, for certificates of fitness for electrical wiring and plumbing, for filing voluntary flexible work hour plans, and for licenses for boiler operators; and providing for an effective date."

and recommends:

- be replaced with _____ CS SB 278 (LEC)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:	
<input type="checkbox"/>	Same Title
<input checked="" type="checkbox"/>	New Title
House Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
LWF	2/5	✓			1
LWF	2/5	✓			#2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
French <i>[Signature]</i>			X	
Seekins <i>[Signature]</i>	✓			
Seiens <i>[Signature]</i>	X			
CHAIR: <i>[Signature]</i>	✓			

French
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Seiens

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SENATE FINANCE COMMITTEE

SIGN-IN

SB 278-LABOR & WORKFORCE DEVELOPMENT FEES

NAME: GREG O'CLARAY, comm DOLWD
GREY MITCHELL DIRECTION Subject/Bill No: SB278
Co./Dept./Title: DOLWD Phone: 465-2700
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

