

HB

338

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
 MAY 01 2006
 SENATE FINANCE COMMITTEE

DATE: 4/21/06

FURTHER:

DATE TURNED
 IN TO OFFICE: 5/1/06

Finance Committee considered CS FOR HOUSE BILL NO. 338(L&C)

HB 338 CERTIF. OF FITNESS FOR EXPLOSIVE HANDLERS

"An Act relating to applications, qualifications, and criminal history and background checks for a certificate of fitness for explosives handlers; and providing for an effective date."

and recommends:

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

CS Senate Bill:
 Same Title
 New Title

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

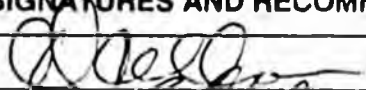


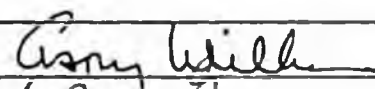

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#
DPS	1/17/06			✓	2
LWF	1/5/06			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
			✓	
	✓			
	✓			
COCHAIR: 	✓			
COCHAIR: 	✓			

FISCAL NOTE

REPORTED OUT
MAY 01 2006
SENATE FINANCE COMMITTEE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 338(L&C)
(H) Publish Date: 2/17/06

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
Title: Certificate of Fitness for Explosive Handlers RDU: Labor Standards and Safety
Component: Mechanical Inspection
Sponsor: Representative Chenault
Requester: House Labor & Commerce Component Number: 346

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
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 ()						
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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						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: None
Mark this box (X), if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation requires criminal history and background checks for a Certificate of Fitness for explosive handlers. There is no anticipated financial impact to the Department as a result of this legislation.

Prepared by: Grey Mitchell, Director Phone: (907) 465-4855
Division: Labor Standards & Safety Date/Time: 1/5/06 2:41 PM
Approved by: Greg O'Clary, Commissioner Date: 1/5/2006
Agency: Department of Labor and Workforce Development

FISCAL NOTE

REPORTED OUT
MAY 01 2006
SENATE FINANCE COMMITTEE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 338(L&C)
(H) Publish Date: 2/17/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title: An Act relating to certificates of fitness RDU: Statewide Support
for explosives handlers Component: Criminal Records and ID
Sponsor: Representative Chenault
Requester: Labor & Commerce Committee Component No.: 1190

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
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 ()						
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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						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill creates a process for the certification of explosives handlers by the Department of Labor and Workforce Development. This process includes the requirement that the applicant for a certificate submit fingerprints and fees for a national criminal history check to be performed by the Department of Public Safety under AS 12.62.400. The language of this bill is consistent with other statutes for criminal history checks that have been approved by the FBI.

The Department of Public Safety will be able to perform these additional criminal history checks with no fiscal impact.

Prepared by: Director David Schade Phone: 269-0202
Division: Statewide Services Date/Time: 1/17/06 1:30 PM
Approved by: Commissioner William Tandeske Date: 1/17/2006
Agency: Department of Public Safety

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Representative Mike Chenault
District 34

Sponsor Statement **HB 338**

Title: "An Act relating to applications, qualifications, and criminal history and background checks for a certificate of fitness for explosives handlers; and providing for an effective date."

The Alaska Department of Labor and Workforce Development has authority under AS 08.52.010-100 to issue a license known as a certificate of fitness to work with explosives in Alaska. The department currently requires explosive handler license applicants to submit to a criminal background check within Alaska; however, this check does not require finger prints to verify proper identification and does not capture criminal acts the applicant may have committed in other states. To help ensure that an explosive handler's license is not issued to an individual that may cause a national security threat or a threat to Alaskans, it is necessary to have a statutory requirement for a fingerprint based nationwide background check.

The Alaska Department of Public Safety is not authorized to provide a nationwide fingerprint based criminal background check for licensing purposes, unless it is required by state or federal law. This bill will provide the necessary statutory authority for the Alaska Department of Public Safety to perform a fingerprint based nationwide criminal history search and to provide the data to the Alaska Department of Labor and Workforce Development.

LEGAL SERVICES

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MEMORANDUM

January 3, 2006

SUBJECT: Explosives Handlers (HB 338)

TO: Representative Mike Chenault
Attn: Julie Morris

FROM: Jean M. Mischel
Legislative Counsel 

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and that the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Adds a criminal background check to the requirements for submission of an application for a certificate of fitness for an explosives handler.

Section 2. Specifies, in a new section, a fingerprint and fee procedure for conducting criminal background checks of explosives handlers.

Section 3. Adds a criminal background check to the requirements for issuance of a certificate of fitness for an explosives handler.

Section 4. Prohibits the Department of Community, Commerce and Economic Development from issuing a certificate of fitness to an explosives handler if the criminal background check indicates a conviction of a felony in the past 10 years.

Section 5. Adds certificates of fitness for explosives handlers to the list of occupations needing a criminal background check.

Section 6. Provides an immediate effective date.

JMM:ljw
06-002-ljw