

ALASKA LEGISLATURE

1087

HOUSE and SENATE FINANCE COMMITTEE FILES, 1993-1994

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses of commission activities indicate both positive and negative factors as they relate to the public need factors as defined in AS 44.66.050. These analyses were not intended to be all-inclusive, but address those areas we were able to cover within the scope of our review.

The extent to which the board, commission, or program has operated in the public interest

The commission has conscientiously attempted to allow only qualified applicants to provide utility services and to regulate them in such a manner as to ensure adequate service at the lowest reasonable rates. A finding that no public interest would be served through regulation, APUC administratively exempted some utilities through the discretionary power granted at AS 42.05.711(d).

The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

The potential effectiveness of the commission was greatly enhanced by the passage of the 1992 RCC legislation; we believe that it provides a measure of equity and responsiveness to unwarranted regulation that was lacking prior to this program. We recommend that the RCC program's automatic repeal date of December 31, 1994 be repealed. However, we also believe that this equity and regulatory responsiveness could be further enhanced by periodic realignment of the charges on an industry by industry basis (see Recommendation No. 1).

Alaska Statute 42.05.711 should be amended to make it easier for utility consumers to opt in or opt out of economic regulation. The regulatory cost/benefit decision should be made by the consumer (see Recommendation No. 2).

APUC should establish a timekeeping system to prioritize, plan, schedule, and monitor the workflow. The costs to establish and operate a time system are minimal and the benefits would be substantial (see Recommendation No. 3).

APUC should consider how to best ensure commission member access to adequate staff support and advice. When staff is named as a party to a case, the commission members do not always have full access to support staff, professional staff, or legal counsel (see Recommendation No. 4).

The APUC member's terms of office should be staggered. On October 31, 1993 two commission seats become available. The potential for disruption of commission activity

would be high with two new members coming in at the same time (see Recommendation No. 5).

APUC has recently completed the development of a topical reference system for commission orders and court decisions. This had been a long-standing recommendation of the Division of Legislative Audit as well as being specified by legislative intent.

The extent to which the board, commission, or agency has recommended statutory changes that are generally of benefit to the public interest.

In their FY 92 Annual Report, APUC highlighted certain problems they perceive with the current statutes and also outlined options and recommended solutions.

The commission requested that the legislature clarify or delete two factors from AS 44.83.162(d)(2) which are to be used to adjust the power cost limitation under the Power Cost Equalization Program. The commission believes these two factors, the rate of change in fuel cost and the power demand, are not logically related. In a January 1987 report on the Power Cost Equalization Program, the Division of Legislative Audit recommended that these two factors be clarified.

The commission requested that the legislature clarify AS 42.05.253(a) and (d). The commission finds that subsection (a) limits the annual amount paid by a utility to .61 percent of annual gross revenues and subsection (d) requires each electric utility to pay an equal per kilowatt-hour charge. This could allow a single utility with very low rates to force the RCC rates down for the entire electric utility industry. As we do not believe that this was what the legislature intended, we recommend clarification.

The commission requested that the legislature substitute "may" for "shall" in AS 42.06.400(b) and (c) to allow the commission the discretion to determine whether monies received on suspended and temporary tariffs should be held in escrow. We concur with this request.

The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service that it has provided.

Formal proceedings are properly and timely noticed and are open to the public. The commission has made public hearings and formal proceedings within the service areas of the utilities before them to facilitate the public attendance and participation. APUC also staffs a Consumer Protection and Information Section to resolve complaints and disseminate information.

The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.

All formal proceedings, including hearings on proposed regulations, are noticed and open to the public. Any interested person or party may intervene in a formal proceeding if that intervention will benefit, but not unduly delay the proceeding. The commission has also held informal workshops with attorneys and utility representatives in an attempt to be more responsive to the needs and concerns of these groups.

The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

The commission has adopted regulations for informal and formal complaint procedures. Procedures include a requirement that the complaint be made first with the utility before being filed with the commission. If the complaint cannot be resolved informally, formal procedures, including an investigation, may be initiated. The Office of the Ombudsman also occasionally handles utility or APUC-related complaints. We found the complaint resolution process to be operating satisfactorily.

The extent to which the board or commission which regulated entry into an occupation or profession has presented qualified applicants to serve the public.

The commission, prior to granting a Certificate of Public Convenience and Necessity to a public utility, is required to determine that the applicant is fit, willing, and able to provide the service. APUC employs utility financial analysts and utility engineers to perform the necessary analyses to make this determination.

The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.

We found no evidence of hiring practices or commission appointments that are contrary to state personnel practices. No complaints have been filed with the Human Rights Commission or the Division of Equal Employment Opportunity.

The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations.

In addition, a statute change may become necessary in response to the federal Cable Television Consumer Protection and Competition Act of 1992. Whether this act will lead to active economic regulation of cable systems in Alaska is uncertain. The regulations to implement this new program are scheduled to be adopted in April 1993.

APPENDICES

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APPENDIX A

Department of Commerce and Economic Development
 Alaska Public Utilities Commission
Summary of Appropriations and Expenditures
 For Fiscal Years 1992 and 1993
 (Unaudited)

| Funding Sources | FY 92 | FY 93 |
|-------------------------|--------------|--------------|
| General Fund | \$3,627,000 | \$ -0- |
| Program Receipts | -0- | 3,740,800 |
| Total | \$3,627,000 | \$3,740,800 |

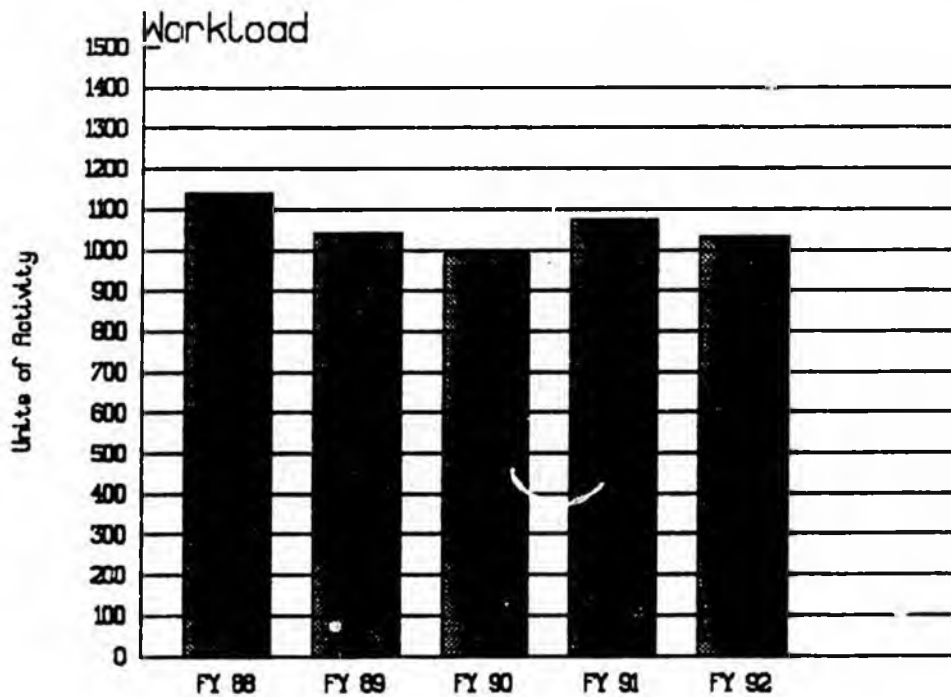
| Expenditures and Encumbrances | FY 92 | | FY 93 Authorized |
|--------------------------------------|-------------------|---------------|-----------------------------|
| | Authorized | Actual | |
| Personal Services | \$2,430,300 | \$2,431,602 | \$2,541,500 |
| Travel | 51,400 | 40,383 | 57,800 |
| Other Services & Charges | 1,114,800 | 1,021,645 | 1,077,400 |
| Supplies | 27,600 | 79,583 | 43,700 |
| Machinery and Equipment | 2,900 | 52,556 | 20,400 |
| Total | \$3,627,000 | \$3,625,769 | \$3,740,800 |

Note: The information included in this summary was obtained from the state accounting system. This information has not been audited by us and, accordingly, we express no opinion on it.

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APPENDIX B

Department of Commerce and Economic Development
Alaska Public Utilities Commission
Expenditure and Workload Analyses
For Fiscal Years 1988 through 1993



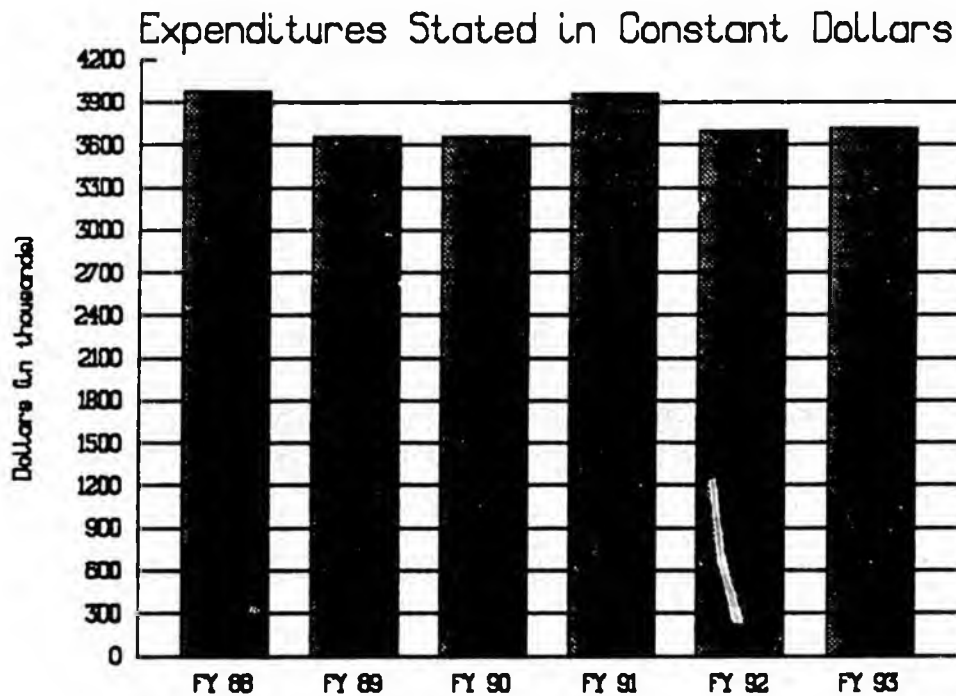
Workload: Each bar in the graph represents a consolidated measurement of the commission's workload for each fiscal year. Each unit of activity is a function performed by APUC such as a tariff filing, formal proceeding, certification proceeding, or formal and informal complaints. Each activity was weighted using an estimate of the relative effort generally required to accomplish each task.

The weighting was accomplished using rough estimates provided on an unofficial basis by commission staff. While we acknowledge the weighting in this analysis is imperfect, we believe it provides an adequate indication of the commission's workload.

This analysis indicates that the commission's workload fluctuated moderately from year to year, yet no clear trend is evident.

APPENDIX B (cont.)

Department of Commerce and Economic Development
Alaska Public Utilities Commission
Expenditure and Workload Analyses
For Fiscal Years 1988 through 1993



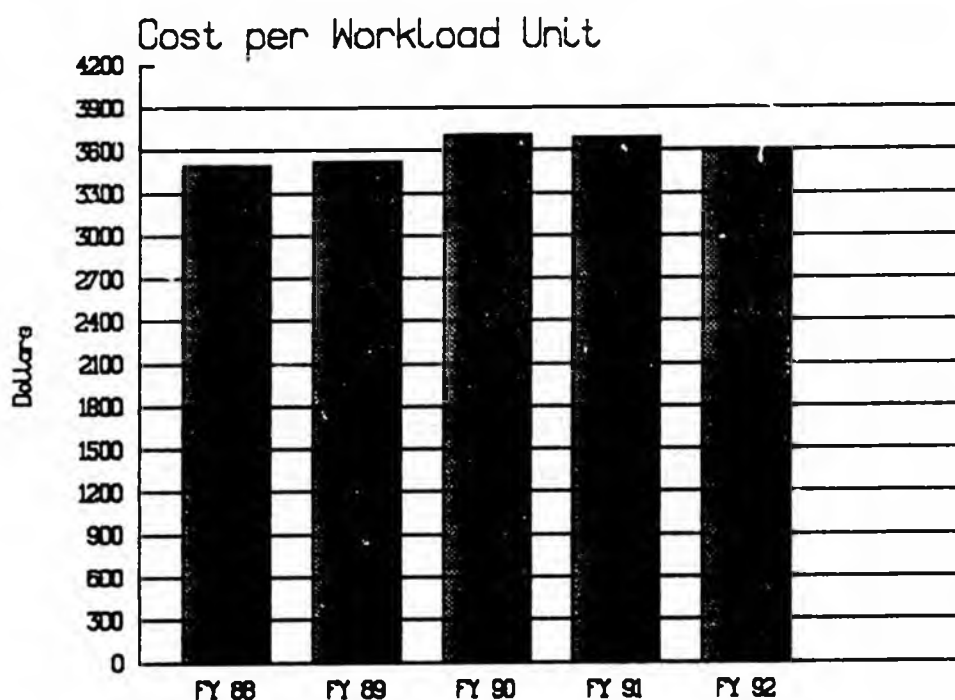
Expenditures Stated in Constant Dollars: The FY 88 through FY 92 actual expenditures and the FY 93 authorizations are stated in constant dollars. A constant dollar reflects the purchasing power of a dollar by adjusting it using a price-level index. We used the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index for all urban consumers in Anchorage to adjust the amounts to FY 93 dollars. This analysis includes amounts for personal services, travel, contractual, and supply; equipment purchases were excluded because they are less directly related to the workload of each individual year.

The dollar amounts used in this analysis were taken directly from APUC Annual Reports. The amounts have not been audited by us and, accordingly, we express no opinion on them.

This analysis is generally consistent with the workload graph. The fluctuations were moderate and without a clear trend.

APPENDIX B (cont.)

Department of Commerce and Economic Development
Alaska Public Utilities Commission
Expenditure and Workload Analyses
For Fiscal Years 1988 through 1993



Cost per Workload Unit: Each workload unit cost was calculated by dividing fiscal year expenditures stated in constant dollars by the weighted workload units. This calculated cost per workload unit is a measure of the commission's efficiency.

This analysis which indicates that the commission's efficiency decreased from FY 88 through FY 90. However, in FY 91 through FY 92 the commission's efficiency improved somewhat. Over the five year period, there is no clear trend.

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WALTER J. HICKEL, GOVERNOR

ALASKA PUBLIC UTILITIES COMMISSION
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

1016 WEST 6TH AVENUE
SUITE 400
ANCHORAGE, ALASKA 99501-1963
PHONE: (907) 276-6222
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March 1, 1993

Mr. Randy S. Welker, CPA
Legislative Auditor
Legislative Budget and Audit Committee
P.O. Box 113300
Juneau, Alaska 99811-3300

RECEIVED
MAR - 5 1993

LEGISLATIVE AUDIT

Ref: Audit Control No. 08-1404-93

Dear Mr. Welker:

On behalf of the Alaska Public Utilities Commission (Commission), I appreciate the opportunity to respond to your agency's audit of the Alaska Public Utilities Commission (08-1404-93). The Commission concurs with your finding in the "Report Conclusions" that the life of the Commission be extended until June 30, 2003. Therefore, this letter will focus on the Commission's response to your "Findings and Recommendations".

The audit states on page 1 "APUC was created to regulate public utilities so that citizens could enjoy adequate service at the **lowest reasonable rates**" (emphasis added). The actual ratemaking standard applied by the statute is "just and reasonable".

Recommendation No. 1 Alaska Statute 42.05.253 should be amended to require APUC to periodically adjust the regulatory cost charge (RCC) on an industry by industry basis. Further, the automatic repeal date of this statute should be deleted.¹

The Commission agrees that the program should be made permanent by deleting the automatic repeal date for the Regulatory Cost Charge Program (RCC). Last year the legislature switched the funding source for the Commission from general funds to this regulatory assessment. The Commission expended significant resources in developing regulations and procedures to make the program work and to make compliance by affected entities as straightforward as possible. The program is in place and running smoothly.

However, the Commission cannot support the recommendation to require itemization of the rates under the RCC program by utility/pipeline carrier type. Although in theory the recommendation has some merit, it is not at all clear to the Commission that it would be either practical or cost-effective to attempt to implement it at this time.

¹ To carry out this recommendation fully, the repeal date for AS 42.06.285 (pipeline carrier regulatory cost charge) should also be deleted.

Letter to Mr. Randy Welker, CPA
Page 2 of 3
March 1, 1993

Individual RCC rates would require full and direct allocation of the Commission's costs. The recommendation, if implemented as drafted, would substantially increase the cost of the RCC program. Full cost allocation would be expensive, especially during the year when it was implemented. A permanent increment to the Commission's budget would be required. The Commission would face a new administrative burden of setting individual RCC rates and handling protests to the rates.

One of the key principles guiding the development of the RCC was simplicity. The Commission has been able to absorb the ongoing costs of the RCC program from its existing budget, because the program has been kept simple and workable. Your recommendation for further refinement of the RCC would require the statutory cap of .61% of adjusted gross revenues (AS 42.05.253(a)) to be substantially increased. Based on your estimates by utility type for purposes of discussion, the current authorized budget for the Commission would require increasing the cap to .85% for certain utility groups, at a minimum.

From the perspective of most utility customers facing a regulatory cost charge bill of less than \$20 per year, different rates for different utility types would not have a measurable effect on their total bill.

Recommendation No. 2 Alaska Statute 42.05.711 should be amended to make it easier for utility consumers to opt in or out of regulation.

The Commission agrees in part. Since the legislature reached a policy conclusion that small utilities ought to be provided the statutory option to deregulate by majority vote, it seems appropriate to periodically adjust the gross revenue cutoff levels to maintain this as a realistic option. These gross revenue cutoff levels have not been adjusted since they were enacted in 1980.

Increasing the cut-off from \$325,000 to \$500,000, for example, would allow the members of nine additional economically regulated electric utilities to decide whether to vote for deregulation. They are Bettles, Far North, Gustavus, Manley, Middle Kuskokwim, Napakiak, Northway, PUI and Teller. Middle Kuskokwim is already eligible to vote for deregulation as a cooperative under AS 42.05.711(h). Attachment #1 lists electric and telephone utility gross revenues.

The cut-off for local exchange telephone companies would have to be increased from \$325,000 to approximately \$850,000 in order for any other utility to qualify for the option of voting to deregulate.

The Commission does support increases in the cutoff levels if there

Letter to Mr. Randy Welker, CPA
Page 3 of 3
March 1, 1993

is some compelling evidence that the benefits of regulation are not commensurate with the cost. Although the enactment of the RCC has quantified the cost side, the benefits, although tangible, are still difficult to quantify.

Recommendation No. 3 APUC should establish a timekeeping system.

The Commission agrees that this recommendation is worthwhile to pursue. If accomplished for internal management purposes, the system could be designed relatively economically. However, if the system is required to serve as the basis for billings, such as those recommended in Recommendation #1, it would be substantially more costly. In either case a fiscal note would be required to carry out this recommendation.

Recommendation No. 4 APUC should consider how to best ensure commission member access to adequate staff support and advice.

The Commission agrees.

Commission staff become a party to a proceeding only when designated to be so by Commission order. This decision is typically made by the Commissioners in adjudicatory session soon after a docket is established.

The Commission is familiar with the alternate models for deployment of the staff resources outlined in your report and will continue to entertain possibilities for improvement.

The Commission believes that a simplified method of obtaining counsel to support the Commission under contract is needed for cases where the attorney general represents staff as a party. Extended procurement procedures and the approval of the attorney general to selected the legal contractor both complicate this process.

Recommendation No. 5 The APUC member's terms of office should be staggered.

The Commission agrees. Legislation would be required to accomplish this change.

Thank you for the opportunity to respond.

Sincerely,
Don Schröer



Chairman

Electric Utilities

(1991 Calendar Year)

| Utility | Revenues ¹ | | | |
|---|------------------------|----------------------|---------------------|----------------|
| | Net Plant | Total Revenues | Net Income | Users |
| (Gross Operating Revenue \$5,000,000 or Greater) | | | | |
| Alaska Electric Generation & Transmission Cooperative, Inc. | \$ 15,132,391 | \$ 36,107,128 | \$ 520,344 | 1 |
| Alaska Electric Light and Power Company | 39,698,352 | 20,393,975 | 2,359,645 | 12,580 |
| Alaska Village Electric Cooperative, Inc. | 27,702,360 | 14,422,892 | 2,055,036 | 5,317 |
| Arctic Utilities, Inc. ² | 7,408,846 | 5,438,438 | 165,654 | 65 |
| Bethel Utilities Corporation, Inc. | 2,940,363 | 5,837,208 | 253,258 | 1,796 |
| Chugach Electric Association, Inc. | 405,044,506 | 113,063,777 | 6,528,017 | 61,069 |
| Copper Valley Electric Association, Inc. | 13,823,094 | 8,772,239 | 761,652 | 2,747 |
| Golden Valley Electric Association, Inc. | 129,119,361 | 44,786,188 | 4,921,758 | 26,569 |
| Homer Electric Association, Inc. | 85,626,945 | 33,936,610 | 2,124,098 | 18,173 |
| Kodiak Electric Association, Inc. | 42,079,649 | 16,037,039 | 1,685,511 | 15,154 |
| Matanuska Electric Association, Inc. | 97,965,827 | 39,421,396 | 4,718,151 | 29,008 |
| Municipal Light & Power Department, Municipality of Anchorage d/b/a | 141,035,282 | 69,064,766 | 2,545,094 | 29,144 |
| Subtotal | \$1,007,576,976 | \$407,281,656 | \$28,638,218 | 191,623 |
| (Gross Operating Revenue Greater Than \$1,500,000 but Less Than \$5,000,000) | | | | |
| Alaska Power & Telephone Company | \$ 6,735,677 | \$4,521,539 | \$1,104,194 | 1,957 |
| Barrow Utilities and Electric Cooperative, Inc. | 4,599,233 | 1,989,787 | 153,281 | 1,357 |
| Kotzebue Electric Association, Inc. | 7,029,760 | 3,051,630 | 131,097 | 1,002 |
| Subtotal | \$18,364,670 | \$9,562,956 | \$1,388,572 | 4,316 |
| (Gross Operating Revenue Greater Than \$500,000 but Less Than \$1,500,000) | | | | |
| Aniak Light and Power Company, Inc. | \$ 859,291 | \$ 794,818 | \$ 65,560 | 186 |
| G & K, Inc. | 2,003,537 | 1,185,853 | 69,083 | 77 |
| Gwitchyaa Zheo Utility Company ³ | 555,237 | 629,705 | 63,223 | 329 |
| Haines Light and Power Co, Inc. | 1,882,384 | 1,408,805 | 67,375 | 848 |
| McGrath Light & Power Company ⁴ | 1,149,378 | 980,749 | 149,809 | 222 |
| Sand Point Electric, Inc. | 1,120,558 | 1,080,533 | 55,349 | 464 |
| Tanana Power Company, Inc. | 899,312 | 542,833 | 32,518 | 175 |
| Unalakleet Valley Electric Cooperative, Inc., Matanuska Electric Assoc., Inc. d/b/a | 1,055,161 | 825,060 | 160,336 | 299 |
| Subtotal | \$9,524,858 | \$7,448,356 | \$663,253 | 2,600 |

¹ Revenue classes per 3 AAC 48.277.² Information presented for year ending 4/30/92.³ Information presented for year ending 9/30/91.⁴ Information presented for year ending 9/30/91.

Electric Utilities (Continued)

| Utility | Revenues ¹ | | | Users |
|--|-------------------------|----------------------|---------------------|----------------|
| | Net Plant | Total Revenues | Net Income | |
| (Gross Operating Revenue Less Than \$500,000) | | | | |
| Bettles Light & Power, Inc. | \$ 255,340 | \$ 422,033 | \$ 23,551 | 46 |
| Far North Utilities | 273,946 | 161,566 | (15,066) | 38 |
| Gustavus Electric, Inc. | 490,309 | 458,937 | 41,946 | 222 |
| Manley Utility Company, Inc. | 383,809 | 163,609 | (30,527) | 79 |
| Middle Kuskokwim Electric Cooperative, Inc. | 1,533,699 | 411,642 | 8,586 | 169 |
| Napakiak Ircinaq Power Company | 67,481 | 226,524 | (35,757) | 106 |
| Northway Power & Light, Inc. | 431,545 | 369,825 | (14,328) | 116 |
| PUI Acquisition Corporation | 496,692 | 476,240 | 154,502 | 124 |
| Teller Power Company, Inc. | 299,739 | 413,578 | (16,043) | 99 |
| Subtotal | \$ 4,232,560 | \$ 3,103,954 | \$ 116,864 | 999 |
| TOTALS | \$ 1,039,699,064 | \$427,396,922 | \$30,806,907 | 197,107 |

¹ Revenue classes per 3 AAC 48.277.

Telecommunications Utilities
(Interexchange & Local Exchange Carriers)
 (1991 Calendar Year)

| Utility | Net Plant | Revenues ¹ | | Main Access Lines |
|---|----------------------|-----------------------|---------------------|-------------------|
| | | Gross Revenues | Net Income | |
| Gross Operating Revenue \$5,000,000 or Greater) | | | | |
| Alascom, Inc. | \$389,266,807 | \$344,212,115 | \$ 5,028,215 | N/A |
| Anchorage Telephone Utility, Municipality of Anchorage d/b/a | 190,755,816 | 84,884,602 | 5,192,433 | 134,831 |
| GTE Alaska, Incorporated | 13,362,737 | 9,364,978 | 2,011,904 | 14,808 |
| Interior Telephone Company | 12,352,184 | 6,213,625 | 216,179 | 3,752 |
| Matanuska Telephone Association, Inc. | 81,116,559 | 35,761,990 | 4,280,751 | 31,326 |
| Telephone Utilities of Alaska, Inc. | 20,967,634 | 13,885,396 | 1,782,221 | 22,404 |
| Telephone Utilities of the Northland, Inc. | 79,745,875 | 49,739,760 | 6,622,934 | 43,450 |
| United Utilities, Inc. | 17,077,641 | 9,653,401 | 697,453 | 3,444 |
| Subtotal | \$804,645,253 | \$553,715,867 | \$25,832,090 | 254,015 |
| (Gross Operating Revenue Greater Than \$1,000,000 but Less Than \$5,000,000) | | | | |
| Arctic Slope Telephone Association Cooperative, Inc. | \$ 3,488,504 | \$ 3,425,631 | \$ 416,805 | 1,795 |
| Bristol Bay Telephone Cooperative, Inc. | 2,404,223 | 1,841,143 | (113,312) | 1,230 |
| Bush-Tell, Inc. | 2,873,912 | 1,205,352 | 113,928 | 664 |
| Copper Valley Telephone Cooperative, Inc. | 11,238,813 | 3,818,023 | 1,024,531 | 4,000 |
| Mukluk Telephone Company, Inc. | 2,568,937 | 1,532,478 | 75,786 | 763 |
| National Utilities, Inc. | 3,027,723 | 2,328,354 | 579,589 | 2,221 |
| Nushagak Telephone cooperative, Inc. | 3,315,506 | 1,679,981 | 249,703 | 1,609 |
| OTZ Telephone Cooperative, Inc. | 3,923,235 | 2,198,207 | 1,045,872 | 1,971 |
| Subtotal | \$ 32,840,853 | \$ 18,029,169 | \$ 3,392,902 | 14,253 |

¹Revenue classes per 3 AAC 48.277.

(Continued)

**Telecommunications Utilities
(Interexchange & Local Exchange Carriers) (Continued)**

| Utility | Net Plant | Revenues ¹ | | Main Access Lines |
|---|----------------------|-----------------------|---------------------|-------------------------|
| | | Gross Revenues | Net Income | |
| (Gross Operating Revenue Less Than \$1,000,000) | | | | |
| Bettles Telephone Company, Inc. | \$ 99,036 | \$ 153,022 | \$ (2,390) | 70 |
| North Country Telephone Company | 163,194 | 103,479 | 16,172 | 110 |
| Summit Telephone Company, The Summit Telephone and Telegraph Company of Alaska, d/b/a | 222,809 | 169,751 | 57,628 | 65 |
| Yukon Telephone Company, Inc. | 848,601 | 813,948 | 61,246 | 378 |
| Subtotal | \$ 1,333,640 | \$ 1,240,200 | \$ 132,656 | 623 |
| TOTAL | \$838,819,746 | \$572,985,236 | \$29,357,648 | 268,891 |

¹ Revenue classes per 3 AAC 48.277.

HB

540

HFIN

FILE

WALTER J. HICKEL
GOVERNOR



HB 540
P. O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 23, 1994

The Honorable Ramona L. Barnes
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Barnes:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the improvement of state finances and fiscal accountability by increasing fees, collecting additional revenues, reducing certain program expenditures, and changing state agency functions or procedures to achieve certain savings or efficiencies. A section-by-section description of this bill is forthcoming.

In this time of great financial concern, we must look for ways of streamlining state government and find ways for agencies to defray a greater portion of their costs through the imposition or increase of fees. If there are ways to access other kinds of funds for the services the state provides, then we must be willing to seek those funds. If there are ways to cut the expenses of the state administration, we must be open to the changes necessary to achieve them.

This bill is only one example of this administration's continued efforts to keep the costs of state government in check. It, along with the bills I have introduced that change required reports of state agencies (HB 530 - SB 357) and eliminate some state multimember bodies (HB 531 - SB 358), can go a long way to improving the operation and expense of the state.

I urge your favorable consideration of the bill.

Sincerely,

A large, stylized handwritten signature of Walter J. Hickel in black ink.

Walter J. Hickel
Governor

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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

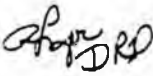
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 9, 1994

SUBJECT: Enclosed Bills (CSHB 56(FIN), CSHB 135(FIN), and CSHB 540(FIN))

TO: Representative Ron Larson
Co-chair, House Finance Committee
Attn: Jay Hogan

FROM: David R. Dierdorff 
Revisor of Statutes

Enclosed are the three draft committee substitutes you requested. I have some comments and a caution or two.

Content of drafts. Each draft contains the provisions from HB 540, as introduced by the governor, that were requested by Nancy Slagle in her April 8 letter to you. However, I believe she made two mistakes in her request and I took the liberty of correcting them.

First, she requested that the CS for HB 540 include only the repeals of AS 28.10-108(b) and AS 44.42.050(d). However, she requested that sec. 24 of HB 540 be included. Section 24 does not make any sense unless AS 28.22.041(h) is also repealed, so I included that repealer in CSHB 540(FIN).

Second, she requested that sec. 35 of HB 540 be included in the CS for HB 540, but the related repeal of AS 39.20.250(b) was to be included in CSHB 56. I included both provisions in CSHB 56(FIN), because they both relate to fiscal procedures.

Lingering single subject issues. I am not sure that the division of HB 540 into these three parts solved all of the single subject issues I discussed in my earlier memo. Draft CSHB 56(FIN) clearly meets the single subject test; draft CSHB 135(FIN) comes close to meeting the test, but I am concerned that medical care reimbursement by a prisoner or from sources reached through the prisoner is sufficiently different from fee charging that the "umbrella" of "enhancing revenues" runs into the problems identified in my earlier memo. It is, however, a close question.

Representative Ron Larson
April 9, 1994
Page 2

With respect to draft CSHB 540(FIN), the question still remains whether one can modify state services in a smorgasbord of service delivery areas under the subject "reducing the cost of state government." I believe that CSHB 540(FIN) is still subject to challenge. I drafted the title to ensure that the expression requirement of the constitution was met, and stated the single subject as phrased by OMB, but I would urge you to consider breaking it down further.

New constitutional issues. The use of HB 56 and HB 135 as vehicles invokes the three reading requirement of art. II, sec. 14 of the state constitution. The two bills were read the first time as appropriation bills. They now have become substantive bills. I believe that this triggers the three reading requirement in that the committee substitutes for each are so different from the original that they are, in effect, new bills that must be read three times. See Van Brunt v. State, 653 P.2d 343, 345-346 (Alaska App. 1982). Given the importance of the legislation, please ensure that the bills are read three times, not including their original first readings, before being transmitted to the Senate (assuming they are approved by the House).

Editorial change. In addition to minor technical drafting changes we made in the governor's language, I wanted to call your attention to the deletion of the last two sentences of Sec. 46.03.026(c) as proposed in sec. 41 of HB 540. They were not necessary. AS 37.05.142 and 37.05.144 already provide what the two sentences set out to accomplish.

If I may be of further assistance, please advise.

DRD:pl
94-297.plm

Enclosure

8-GH2049E
Dierdorff
4/9/94

CS FOR HOUSE BILL NO. 540(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

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

A BILL

FOR AN ACT ENTITLED

1 "An Act amending and repealing laws providing for state agency functions and
2 services related to transportation and capital improvement planning, motor vehicles
3 and motor vehicle insurance, medical care for prisoners, state building leases, and
4 review and approval of water and sewer systems, for the purpose of reducing
5 state government expenditures; and providing for an effective date."

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

7 * Section 1. AS 19.10.140 is amended to read:

8 Sec. 19.10.140. LONG-RANGE PROGRAM FOR HIGHWAY
9 CONSTRUCTION [AND MAINTENANCE]. The [GOVERNOR SHALL REQUIRE
10 THE] department shall [TO] establish a continuing, long-range program for highway
11 construction [AND MAINTENANCE]. The program must annually project proposed
12 construction [AND MAINTENANCE] of highways in a priority format for not less
13 than the next succeeding five years. A statement of the program shall be submitted

1 by the governor to the legislature annually [, AND THE LONG-RANGE PROGRAM
2 SHALL INCLUDE IN DETAIL THE PROGRAM PREPARED UNDER
3 AS 19.10.150].

4 * Sec. 2. AS 19.10.150 is amended to read:

5 Sec. 19.10.150. CONSTRUCTION PROGRAM. Before February 2 of each
6 year, the department shall prepare a statement showing what construction work has
7 been requested and proposed and may be undertaken by the department during the
8 following construction season. The statement must set forth a general itemization of
9 the estimated cost for each project and the total estimates of all projects. [THE
10 DEPARTMENT SHALL ADOPT A CONSTRUCTION PROGRAM WHICH MUST
11 INCLUDE THE PROJECTS TO BE UNDERTAKEN BY IT DURING THE
12 FOLLOWING CONSTRUCTION SEASON AND MUST ESTABLISH PROJECT
13 PRIORITIES.] The department may increase, decrease, amend, or revise the
14 construction program from time to time as circumstances warrant.

15 * Sec. 3. AS 19.10.160 is amended to read:

16 Sec. 19.10.160. STANDARD PLANS AND SPECIFICATIONS. The
17 department may [SHALL] prepare and adopt uniform standard plans and specifications
18 for the establishment and [,] construction [, AND MAINTENANCE] of highways in
19 the state. The department may amend the plans and specifications as it considers
20 advisable. [THE STANDARDS MUST CONFORM AS CLOSELY
21 AS PRACTICABLE TO THOSE ADOPTED BY THE AMERICAN ASSOCIATION
22 OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS.]

23 * Sec. 4. AS 28.05.061(c) is amended to read:

24 (c) The commissioner and officers and employees of the department designated
25 by the commissioner shall, upon request, prepare under the seal of the department and
26 deliver, unless otherwise prohibited by law, a certified copy of any record of the
27 department maintained under this title or regulations adopted under this title, charging
28 a fee for each certified copy. A certified copy, or an electronic record certified by
29 the department, is admissible in a proceeding in a court in the same manner as the
30 original document.

31 * Sec. 5. AS 28.05.121 is amended to read:

1 Sec. 28.05.121. GIVING OF NOTICE. When the department is authorized or
2 required to give notice under this title or regulations adopted under this title, unless a
3 different method of giving notice is otherwise expressly provided, notice shall be given
4 by a qualified person, either by personal delivery to the person to be notified or by
5 first class [REGISTERED OR CERTIFIED] mail, [RETURN RECEIPT
6 REQUESTED,] addressed to the person at the address of the person as shown in the
7 electronic records of the department. The giving of notice by mail is considered
8 complete upon placing the notice in a United States Post Office receptacle, with
9 appropriate postage [THE RETURN OF THE RECEIPT OR UPON RETURN OF
10 THE NOTICE AS UNDELIVERABLE, REFUSED, OR UNCLAIMED]. Proof of the
11 giving of notice in either manner may be made by the affidavit of the person giving
12 the notice by personal delivery or by mail, naming the person to whom the notice was
13 given and specifying the time, place, and manner of giving the notice.

14 * Sec. 6. AS 28.05.141(b) is amended to read:

15 (b) A hearing ordered under (a) of this section shall be held telephonically at
16 a time and date set by [AT THE OFFICE OF] the department, except that if the
17 department determines that an in-person hearing is necessary to determine factual
18 issues, the department may order that the hearing be conducted in person at a
19 place, time, and date set by the department [NEAREST TO THE RESIDENCE OF
20 THE PERSON REQUESTING THE HEARING UNLESS THE DEPARTMENT AND
21 THE PERSON AGREE THAT THE HEARING IS TO BE HELD ELSEWHERE].
22 The department may [SHALL] grant a hearing delay only if the person shows, to the
23 satisfaction of the department, [PRESENTS] good cause for the delay that is beyond
24 the control of the person. If a person fails to appear for the hearing at the time and
25 place stated by the department and if a hearing delay has not been granted, the
26 person's failure to appear is considered a waiver of the hearing and the department
27 may take appropriate action with respect to the person.

28 * Sec. 7. AS 28.10.031(b) is amended to read:

29 (b) A licensed vehicle dealer may issue to the purchaser of a vehicle sold by
30 the dealer a temporary permit to drive the vehicle. A permit is effective for a period
31 not to exceed 60 [30] days. The commissioner shall adopt regulations governing the

1 issuance of permits under this section.

2 * Sec. 8. AS 28.10.108(c) is amended to read:

3 (c) A vehicle subject to registration [AND NOT DESCRIBED IN (b) OF THIS
4 SECTION] shall have its initial registration, and may have its annual registration,
5 renewed in the month of initial registration in the state, subject to the provisions of (f)
6 of this section.

7 * Sec. 9. AS 28.15.166(e) is amended to read:

8 (e) The [NOTWITHSTANDING AS 28.05.141(b), THE] hearing under this
9 section shall be held telephonically at a time and date set by [AT THE OFFICE OF]
10 the department, except that if the department determines that an in-person hearing
11 is necessary to determine factua. issues, the department may order that the
12 hearing be conducted in person at a place, time, and date set by the department
13 [NEAREST TO THE RESIDENCE OF THE PERSON REQUESTING THE
14 HEARING UNLESS

15 (1) A DISTRICT COURT JUDGE OR A MAGISTRATE HAS BEEN
16 DESIGNATED AS A HEARING OFFICER IN THE MATTER BY THE
17 COMMISSIONER; OR

18 (2) THE DEPARTMENT AND THE PERSON AGREE THAT THE
19 HEARING IS TO BE HELD ELSEWHERE].

20 * Sec. 10. AS 28.15.166(f) is amended to read:

21 (f) A review under this section shall be held before a hearing officer
22 designated by the commissioner. [UPON THE CONSENT OF THE
23 ADMINISTRATIVE DIRECTOR OF THE STATE COURT SYSTEM, THE
24 COMMISSIONER MAY DESIGNATE A DISTRICT COURT JUDGE OR A
25 MAGISTRATE TO SERVE AS THE HEARING OFFICER.] The hearing officer shall
26 have authority to

27 (1) administer oaths and affirmations;

28 (2) examine witnesses and take testimony;

29 (3) receive relevant evidence;

30 (4) issue subpoenas, take depositions, or cause depositions or
31 interrogatories to be taken;

1 (5) regulate the course and conduct of the hearing;

2 (6) make a final ruling on the issue.

3 * Sec. 11. AS 28.20.050(a) is amended to read:

4 (a) The provisions of ~~the~~ chapter requiring deposit of security and suspension
5 for failure to deposit security apply to the driver and owner of a vehicle subject to
6 registration under the laws of this state that is involved in any manner in an accident
7 in this state resulting in bodily injury to or death of a person or damage to the property
8 of any one person exceeding \$1,500 [\$500].

9 * Sec. 12. AS 28.20.050(e) is amended to read:

10 (e) A peace officer investigating an accident that results in bodily injury to or
11 the death of a person or damage to the property of a person exceeding \$1,500 [\$500]
12 shall inform persons involved in the accident in writing of the requirements of this
13 chapter as they apply to suspension of an operator's license or driving privileges.

14 * Sec. 13. AS 28.20.100(c) is amended to read:

15 (c) If the department evaluates the injuries or damage to a minor in an amount
16 not more than \$1,500 [\$500], the department may accept, for the purposes of this
17 chapter only, evidence of a release from liability executed by a natural or legal
18 guardian on behalf of the minor without court approval.

19 * Sec. 14. AS 28.20.230(a) is amended to read:

20 (a) The provisions of this chapter requiring the deposit of proof of financial
21 responsibility for the future apply to persons who are convicted of or forfeit bail for
22 certain offenses under motor vehicle laws or who, by ownership or operation of a
23 vehicle of a type subject to registration under AS 28.10, are involved in an accident
24 in this state that results in bodily injury or death of a person or damage to the property
25 of any one person exceeding \$1,500 [\$500].

26 * Sec. 15. AS 28.20.260(a) is amended to read:

27 (a) Upon receipt by the department of the report of an accident resulting in
28 bodily injury or death, or property damage to any one person exceeding \$1,500 [\$500],
29 the department shall suspend the license of the driver of a motor vehicle involved in
30 the accident unless the driver or owner

31 (1) has previously furnished or immediately furnishes security required

1 by this chapter, or is excepted from furnishing security under AS 28.20.060; [,] and
2 (2) maintains proof of financial responsibility for three years following
3 the accident.

4 * Sec. 16. AS 28.22.021 is amended to read:

5 Sec. 28.22.021. REQUIREMENT OF PROOF OF MOTOR VEHICLE
6 LIABILITY INSURANCE. The owner or operator of a motor vehicle required to have
7 motor vehicle liability insurance that complies with this chapter or a certificate of
8 self-insurance that complies with AS 28.20.400, shall show proof of this insurance
9 when that person is involved in an accident that results in bodily injury to or death of
10 a person, or damage to the property of a person exceeding \$1,500 [\$500].

11 * Sec. 17. AS 28.22.041(a) is amended to read:

12 (a) If [EXCEPT AS PROVIDED IN (h) OF THIS SECTION, IF] a person
13 fails to provide proof required under AS 28.22.021 and 28.22.031, the department shall
14 suspend the driver's license of that person for the following periods:

15 (1) not less than 90 days if, within the preceding 10 years, the person
16 has not had a driver's license suspended for violation of AS 28.22.011 or former
17 AS 28.22.200;

18 (2) not less than one year if, within the preceding 10 years, the person
19 has had a driver's license suspended one or more times for violation of AS 28.22.011
20 or former AS 28.22.200.

21 * Sec. 18. AS 28.35.080(a) is amended to read:

22 (a) The driver of a vehicle involved in an accident resulting in bodily injury
23 to or death of a person or total property damage to an apparent extent of \$1,500 [\$500]
24 or more shall immediately by the quickest means of communication give notice of the
25 accident to the local police department if the accident occurs within a municipality,
26 otherwise to the Department of Public Safety.

27 * Sec. 19. AS 28.35.080(b) is amended to read:

28 (b) The driver of a vehicle involved in an accident resulting in bodily injury
29 to or death of a person or total property damage to an apparent extent of \$1,500 [\$500]
30 or more shall, within 10 days after the accident, forward a written report of the
31 accident to the Department of Public Safety and to the local police department if the

1 accident occurs within a municipality. A report is not required under this subsection
2 if the accident is investigated by a peace officer.

3 * Sec. 20. AS 33.30.011 is amended to read:

4 Sec. 33.30.011. DUTIES OF COMMISSIONER. The commissioner shall

5 (1) establish, maintain, operate, and control correctional facilities
6 suitable for the custody, care, and discipline of persons charged or convicted of
7 offenses against the state or held under authority of state law;

8 (2) classify prisoners;

9 (3) for persons committed to the custody of the commissioner, establish
10 programs, including furlough programs that are reasonably calculated to

11 (A) protect the public;

12 (B) maintain health;

13 (C) create or improve occupational skills;

14 (D) enhance educational qualifications;

15 (E) support court-ordered restitution; and

16 (F) otherwise provide for the rehabilitation and reformation of
17 prisoners, facilitating their reintegration into society;

18 (4) provide necessary medical services for prisoners in state
19 correctional facilities or to fulfill duties under AS 33.30.071(c) [WHO ARE
20 COMMITTED BY A COURT TO THE CUSTODY OF THE COMMISSIONER],
21 including examinations for communicable and infectious diseases, if a physician or
22 other health care provider, exercising ordinary skill and care at the time of
23 observation, concludes that

24 (A) a prisoner exhibits symptoms of a serious disease or
25 injury that is curable or may be substantially alleviated; and

26 (B) the potential for harm to the prisoner by reason of delay
27 or denial of care is substantial;

28 (5) provide necessary psychological or psychiatric treatment if a
29 physician or other health care provider, exercising ordinary skill and care at the time
30 of observation, concludes that

31 (A) a prisoner exhibits symptoms of a serious disease or injury

1 that is curable or may be substantially alleviated; and

2 (B) the potential for harm to the prisoner by reason of delay or
3 denial of care is substantial; and

4 (6) establish minimum standards for sex offender treatment programs
5 offered to persons who are committed to the custody of the commissioner.

6 * Sec. 21. AS 36.30 is amended by adding a new section to read:

7 Sec. 36.30.085. LEASE EXTENSIONS AUTHORIZED. (a) Notwithstanding
8 AS 36.30.080, the department may extend for up to a maximum of 10 years a real
9 property lease that is entered into under this chapter or was entered into under former
10 AS 37.05.220 - 37.05.280 and that is in existence as of June 30, 1994 if a minimum
11 cost savings of

12 (1) 10 percent can be achieved on the rent due under the lease; or

13 (2) five percent can be achieved on the rent due under the lease and the
14 lessor agrees to make modifications to the leased real property to bring the real
15 property into compliance with the requirements of 42 U.S.C. 12101 - 12213
16 (Americans with Disabilities Act of 1990).

17 (b) The cost savings under (a) of this section shall be calculated on the
18 remaining term of the lease and any renewals, including extensions allowed under (a)
19 of this section.

20 (c) In accordance with AS 36.30.005, the Board of Regents may extend leases
21 for the University of Alaska to the same extent as the department under this section.

22 (d) In accordance with AS 36.30.030, the court system may extend leases for
23 the court system to the same extent as the department under this section.

24 * Sec. 22. AS 36.30.320(a) is amended to read:

25 (a) A procurement for (1) supplies, services, or construction that does not
26 exceed an aggregate dollar amount of \$25,000, or (2) lease of space that does not
27 exceed 2,500 square feet with a monthly lease amount that does not exceed \$5,000,
28 may be made in accordance with regulations adopted by the commissioner for small
29 procurements.

30 * Sec. 23. AS 37.07.040 is amended to read:

31 Sec. 37.07.040. OFFICE OF MANAGEMENT AND BUDGET. The Alaska

1 office of management and budget shall

2 (1) assist the governor in the preparation and explanation of the
3 proposed comprehensive program and financial plan, including the coordination and
4 analysis of state agency goals and objectives, plans, and budget requests;

5 (2) prepare for submission to the governor an annually updated multi-
6 year [SIX-YEAR] capital improvements program in either a fiscal year or priority
7 format and the proposed capital improvements budget for the coming fiscal year [,
8 THE LATTER TO INCLUDE INDIVIDUAL PROJECT JUSTIFICATION WITH
9 DOCUMENTATION OF ESTIMATED PROJECT COST];

10 (3) develop procedures to produce the information needed for effective
11 policy decision making, including procedures to provide for the dissemination of
12 information about plans, programs and budget requests to be included in the annual
13 budget and opportunity for public review and comment during the period of budget
14 preparation;

15 (4) assist state agencies in their statement of goals and objectives,
16 preparation of plans, budget requests, and reporting of program performance; all
17 documents forwarded by the office to a state agency containing instructions for the
18 preparation of program plans and budget requests and the reporting of program
19 performance are public information after the date they are forwarded;

20 (5) administer its responsibilities under the program execution
21 provisions of this chapter so that the policy decisions and budget determinations of the
22 governor and the legislature are implemented;

23 (6) provide the legislative finance division with the budget information
24 it may request;

25 (7) provide the legislative finance division with an advance copy of the
26 governor's budget workbooks by the first Monday in January of each year, except that
27 following a gubernatorial election year the advance copy shall be provided by the
28 second Monday in January;

29 (8) prepare the proposed capital improvements budget for the coming
30 fiscal year evaluating both state and local requests from the standpoint of need, equity,
31 and priorities of the jurisdiction; other factors such as project amounts, population,

1 local financial match. federal funds being used for local match, municipality or
2 unincorporated community acceptance of the facility, and all associated costs of the
3 facility may be considered.

4 * Sec. 24. AS 37.07.060 is amended by adding a new subsection to read:

5 (c) Notwithstanding (b) of this section, the reporting requirements of (b)(3)(A)
6 of this section, with respect to the Department of Transportation and Public Facilities,
7 apply only to the governor's capital improvements construction program for the
8 succeeding construction season, budget recommendations for the succeeding fiscal
9 year, and capital improvements construction program for the succeeding six fiscal
10 years. Notwithstanding (b)(3)(A) of this section, with respect to the Department of
11 Transportation and Public Facilities the required report must contain a general
12 description of each project and the source of financing for the project. The
13 requirements of (b)(3)(B) - (H) of this section, with respect to the Department of
14 Transportation and Public Facilities, apply to that department.

15 * Sec. 25. AS 44.42.050(a) is amended to read:

16 (a) The commissioner may [SHALL] develop [ANNUALLY] a
17 comprehensive, intermodal, long-range transportation priority list and plan for the
18 state consistent with applicable federal laws. [IN DEVELOPING AND REVISING
19 THE STATE PLAN, THE COMMISSIONER SHALL CONSIDER MEANS AND
20 COSTS OF IMPROVING EXISTING MODES AND FACILITIES, STATE AND
21 FEDERAL SUBSIDIES, AND THE COSTS AND BENEFITS OF NEW
22 TRANSPORTATION MODES AND FACILITIES. THE COMMISSIONER SHALL
23 ALSO CONSIDER THE RECOMMENDATION OF THE ALASKA
24 TRANSPORTATION PLANNING COUNCIL.] The plan shall be submitted to the
25 governor for review and approval and submitted by the governor to the legislature.

26 * Sec. 26. AS 44.42.050(b) is amended to read:

27 (b) In developing and revising the plan, the commissioner shall seek public
28 review and evaluation consistent with applicable federal statutes and regulations
29 [BY ANY REASONABLE MEANS AND MAY
30 (1) CONSULT AND COOPERATE WITH OFFICIALS AND
31 REPRESENTATIVES OF THE FEDERAL GOVERNMENT, OTHER

1 GOVERNMENTS, INTERSTATE COMMISSIONS AND AUTHORITIES, LOCAL
2 AGENCIES AND AUTHORITIES, INTERESTED CORPORATIONS AND OTHER
3 ORGANIZATIONS CONCERNING PROBLEMS AFFECTING TRANSPORTATION
4 IN THE STATE; AND

5 (2) REQUEST FROM AN AGENCY OR OTHER UNIT OF THE
6 STATE GOVERNMENT OR OF A POLITICAL SUBDIVISION OF IT, OR FROM
7 A PUBLIC AUTHORITY, THE ASSISTANCE AND DATA THAT MAY BE
8 NECESSARY TO ENABLE THE COMMISSIONER TO CARRY OUT
9 RESPONSIBILITIES UNDER THIS SECTION; EVERY SUCH ENTITY SHALL
10 PROVIDE THE ASSISTANCE AND DATA REQUESTED].

11 * Sec. 27. AS 46.03 is amended by adding a new section to read:

12 Sec. 46.03.026. ON-SITE WATER AND SEWER SYSTEM CERTIFICATION
13 AND AUDIT PROGRAM. (a) Notwithstanding any provision of this chapter to the
14 contrary, for bank loans for homes in this state, the department may establish, by
15 regulation, a program to delegate the review and certification of on-site drinking water
16 and sewer systems. Under standards adopted by the department by regulation, the
17 department may delegate the review and certification to engineers who are registered
18 under AS 08.48.

19 (b) If the department establishes a program under (a) of this section, the
20 department shall establish an audit system for the department to monitor and review
21 a statistically significant number of systems certified under that program. An audit
22 must determine compliance with departmental standards for design, installation, and
23 operation in effect at the time of the certification.

24 (c) If the department establishes a program under (a) of this section, the
25 department shall, by regulation, establish fees for services sufficient to make the
26 program self-supporting.

27 * Sec. 28. AS 46.03.720 is amended by adding a new subsection to read:

28 (d) Notwithstanding (a) of this section, department review and approval of
29 plans is not required for the functions specified in (a) of this section if

30 (1) the sewerage system or treatment works, or a part of either, is
31 located in a community or major military facility that has the power or legal authority

1 to review and approve sewerage system or treatment works plans;

2 (2) the community or major military facility has established ordinances
3 or other law to regulate domestic wastewater collections and sewerage that the
4 department has determined are substantially equivalent to department standards in
5 effect at the time of the determination;

6 (3) the community or major military facility has employed an engineer
7 registered under AS 08.48 who will review and approve domestic wastewater
8 collection and sewerage plans under those ordinances or other law;

9 (4) the community or major military facility commits adequate funding
10 or other resources to administer plan review and approvals under this subsection; and

11 (5) the department and the community or major military facility have
12 entered into an agreement under this subsection for delegation of the review and
13 approval of plans under the standards described in this subsection.

14 * Sec. 29. AS 28.10.108(b); AS 28.22.041(h); and AS 44.42.050(d) are repealed.

15 * Sec. 30. TRANSITION. Notwithstanding sec. 32 of this Act, an agency of the state that
16 has regulation adoption authority or that is authorized by this Act to adopt regulations, may
17 proceed to adopt regulations necessary to implement that agency's respective provisions in this
18 Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not
19 before July 1, 1994.

20 * Sec. 31. Section 30 of this Act takes effect immediately under AS 01.10.070(c).

21 * Sec. 32. Except as provided in sec. 31 of this Act, this Act takes effect July 1, 1994.

8-GH1063K
Dierdorff
4/9/94

**CS FOR HOUSE BILL NO. 135(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION**

BY THE HOUSE FINANCE COMMITTEE

**Offered:
Referred:**

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

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

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

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

13 (4) fees for licenses and permits issued for which no fees are prescribed
14 by statute;

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

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

26 (b) The commissioner of public safety may establish by regulation and the

27 department may charge reasonable fees for

28 (1) fire and life safety plan checks made to determine compliance with

29 regulations adopted under (a)(2) of this section; and

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

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

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

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

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

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

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

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

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

24 * Sec. 6. AS 33.30.011 is amended by adding a new subsection to read:

25 (b) The commissioner is authorized to seek payment for a medical,
26 psychological, or psychiatric service provided under (a) of this section from any
27 source, including the prisoner, the prisoner's health insurance carrier, or any other
28 third-party insurer or payor to cover the services provided by the commissioner on
29 behalf of the prisoner. The duty established under (a) of this section does not relieve
30 the prisoner or any other person from a duty established by law, contract, or other
31 agreement to pay for or provide the services. The department shall adopt regulations

1 to interpret and implement this subsection.

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

3 (a) The Department of Environmental Conservation may adopt regulations that
4 prescribe reasonable fees, and establish procedures for the collection of the fees, to
5 cover the applicable direct and indirect costs, not including travel, of inspections,
6 permit preparation and administration, plan review and approval, and other services
7 provided by the department relating to

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

10 (2) certificates of inspection for motor vehicles under AS 46.14.400 or
11 46.14.510;

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

14 (4) oil discharge financial responsibility under AS 46.04.040;

15 (5) oil discharge contingency plans under AS 46.04.030;

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

17 (7) control of solid waste facilities under AS 46.03.020(10) and
18 46.03.100;

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

22 (9) certification of federal permits or authorizations under 33 U.S.C.
23 1341, sec. 401 (Clean Water Act);

24 (10) regulating pesticides and broadcast chemicals under
25 AS 46.03.320;

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

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

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

8-GH1040E
Dierdorff
4/9/94

CS FOR HOUSE BILL NO. 56(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to state agency fiscal procedures; and providing for an effective
2 date."

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

4 * Section 1. AS 37.05.180 is repealed and reenacted to read:

5 Sec. 37.05.180. TIME LIMITATION ON PAYMENT OF WARRANTS. A
6 warrant upon the state treasury must be presented for payment to the Department of
7 Revenue within one year after the date of its issuance.

8 * Sec. 2. AS 37.25.010(b) is amended to read:

9 (b) An indebtedness arising from a prior year for which the appropriation has
10 lapsed shall be paid from the current year's appropriations, if
11 (1) this expenditure does not exceed the balance lapsed; and
12 (2) the original obligation date is not more than four [TWO] years
13 from the requested date of disbursement.

14 * Sec. 3. AS 39.20.250(a) is amended to read:

1 (a) Terminal leave for unused personal leave shall be allowed upon separation
2 from service. The payment equals the personal leave balance at the date of
3 separation multiplied by the officer's or employee's rate of pay at the date of
4 separation expressed on an hourly basis [COMPENSATION THAT THE OFFICER
5 OR EMPLOYEE WOULD HAVE RECEIVED IF THE OFFICER OR EMPLOYEE
6 HAD REMAINED IN THE SERVICE UNTIL THE EXPIRATION OF THE PERIOD
7 OF UNUSED PERSONAL LEAVE]. A payment of terminal leave to an employee
8 shall be made as a lump sum payment [OR IN INSTALLMENTS OVER A PERIOD
9 OF TIME, AS THE EMPLOYEE ELECTS].

10 * Sec. 4. AS 39.20.250(b) is repealed.

11 * Sec. 5. This Act takes effect July 1, 1994.

CS HOUSE BILL 540 (FIN)

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

| Section | Department | Brief Description |
|----------------|------------------------------------|---|
| 1 | Transportation & Public Facilities | Amends long-range program consistent with the Federal Highway Act of 1991 |
| 2 | Transportation & Public Facilities | Clarifies the construction season report |
| 3 | Transportation & Public Facilities | Eliminates the requirement to conform closely with standards adopted by the American Association of State Highway and Transportation Officials to provide increased flexibility to meet Alaska's unique circumstances |
| 4 | Public Safety | Allows the department to use a certified computer printed record in court in the same manner as the original document |
| 5 | Public Safety | Changes the method of notice for license actions from certified to first class mail |
| 6 | Public Safety | Allows hearings to be conducted by telephone in areas where no departmental hearing officers are located and allows the department discretion of determining where and when a hearing is needed in person |
| 7 | Public Safety | Extends the time period for dealer temporary permits from 30 to 60 days |
| 8 | Public Safety | Repeals the requirement to have all commercial and special registrations expire in a certain month - This was only required for initial implementation of staggered registration |
| 9-10 | Public Safety | Allows hearings to be conducted by telephone and allows the department the discretion of determining where and when a hearing is needed in person |

CS HOUSE BILL 540 (FIN)

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

| Section | Department | Brief Description |
|----------------|------------------------------------|---|
| 11-19 | Public Safety | Increases the dollar amount from \$500 to \$1,500 of damages for reporting and proof of financial responsibility |
| 20 | Corrections | Clarifies the department's legal obligation to provide access to medical treatment |
| 21 | Administration | Allows the extension of existing leases up to 10 years if a certain cost savings can be realized as specified in this section |
| 22 | Administration | Allows leases of \$5,000 or less per month to be bid under small procurement regulations |
| 23 | Governor's Office | Eliminate 6-year plan and replaces it with a multi-year program in either fiscal year or priority format |
| 24 | Transportation & Public Facilities | Amends the capital project description requirements for the department to include a general description and source of financing for proposed projects |
| 25-26 | Transportation & Public Facilities | Allows the department to develop the long-range plan consistent with applicable federal laws |
| 27 | Environmental Conservation | Establishes in statute the on-site water and sewer system certification and audit program |
| 28 | Environmental Conservation | Restricts the department review of sewerage system plans in areas where local codes are established |

CS HOUSE BILL 540 (FIN)

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

| Section | Department | Brief Description |
|----------------|------------------------------------|--|
| 29 | Public Safety | Repeals AS 28.10.108(b) that requires commercial and special registrations to expire in a certain month - see section 8 |
| 29 | Public Safety | Repeals AS 28.22.041(h) relating to exceptions to providing proof of motor vehicle liability insurance in the case of an accident - see section 17 |
| 29 | Transportation & Public Facilities | Repeals AS 44.42.050(d) requiring itemization of estimated costs for proposed capital budget projects and allocations for transportation construction projects and necessary contingencies within the general appropriations act |
| 30 | | Allows departments to proceed to adopt necessary regulations to implement their respective sections in this bill |
| 31 | | Provides an immediate effective date for section 30 |
| 32 | | Provides for a July 1, 1994 effective date for all other sections |

CS HB 135 (FIN) - RELATING TO FEES CHARGED BY STATE AGENCIES - SECTIONAL

| Section | Department | Brief Description | Revenues |
|----------------|----------------------------|--|---------------------------|
| 1 | Revenue | Allows the department to charge fees for approving alcoholic server education courses | 0.4 |
| 2 | Public Safety | Allows the department to set and charge fees for permits issued to persons who service portable fire extinguishers and persons who design, install, or service fire alarm and fire | |
| 3 | Public Safety | Allows the department to set and charge fees for permits issued to persons who use dangerous fireworks displays | |
| 4 | Public Safety | Allows the department to set in regulations the fee charged for retail fireworks permits | Revenues expected in FY96 |
| 5 | Public Safety | Allows the department to set in regulations the fee charged for wholesale fireworks permits | Revenues expected in FY96 |
| 6 | Corrections | Allows the department to seek payment for medical care from third party payers | |
| 7 | Environmental Conservation | Allows the department to charge for both indirect and direct costs on fees and adopt regulations to charge for pesticide registration, collect a fee for subdivision plan reviews, charge fees for bank loan audits, charge fees for analyses of water systems, and for regulation motor vehicle fuels | 670.2 |
| 8 | | Allows departments to proceed to adopt necessary regulations to implement their respective sections in this bill | |

CS HB 135 (FIN) - RELATING TO FEES CHARGED BY STATE AGENCIES - SECTIONAL

| Section | Department | Brief Description | Revenues |
|----------------|-------------------|---|-----------------|
| 9 | | Provides an immediate effective date for section 8 | |
| 10 | | Provides for a July 1, 1994 effective date for all other sections | |

CS HB 56 (FIN) - STATE AGENCY FISCAL PROCEDURES - SECTIONAL

| Section | Department | Brief Description | Revenues (or savings) |
|---------|----------------|--|-----------------------|
| 1 | Administration | Limits the life of a warrant to one year | |
| 2 | Administration | Allows payment of obligations from current year's appropriation if the obligation date is not more than 4 years rather than 2 years old. This would reduce the annual request for miscellaneous claims supplemental appropriation | |
| 3 | Administration | Terminating non-covered employees would be paid based on hours of annual/personal leave accumulated at separation date. Currently, these employees are paid for hours accumulated and state holidays that would have occurred had the employee been on leave | 147.7 |
| 4 | Administration | Repeals AS 39.20.250(b) that provides for recovery of terminal leave payments and restoration of equivalent leave credit if an employee is reemployed during the period covered by terminal leave - see section 3 | |
| 5 | | Provides for a July 1, 1994 effective date | |

FISCAL NOTE

Revision Date:
Title: Governor's Omnibus Bill

Department Affected: LOT&PF
BRU:

Sponsor: Governor
Requestor:

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
|-------------------------|----------|----------|----------|----------|----------|----------|
| PERSONAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 |
| TRAVEL | 0 | 0 | 0 | 0 | 0 | 0 |
| CONTRACTUAL | 0 | 0 | 0 | 0 | 0 | 0 |
| SUPPLIES | 0 | 0 | 0 | 0 | 0 | 0 |
| EQUIPMENT | 0 | 0 | 0 | 0 | 0 | 0 |
| LAND & STRUCTURES | 0 | 0 | 0 | 0 | 0 | 0 |
| GRANTS, CLAIMS | 0 | 0 | 0 | 0 | 0 | 0 |
| MISCELLANEOUS | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL OPERATING: | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|---------|---|---|---|---|---|---|
| CAPITAL | 0 | 0 | 0 | 0 | 0 | 0 |
|---------|---|---|---|---|---|---|

| | | | | | | |
|---------------------|---|---|---|---|---|---|
| REVENUE FUND SOURCE | 0 | 0 | 0 | 0 | 0 | 0 |
|---------------------|---|---|---|---|---|---|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|--------------------------|----------|----------|----------|----------|----------|----------|
| 1002 FEDERAL RECEIPTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 1003 GF MATCH | 0 | 0 | 0 | 0 | 0 | 0 |
| 1004 GF | 0 | 0 | 0 | 0 | 0 | 0 |
| 1005 GF/PROGRAM RECEIPTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 1006 GF/MHTIA | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL FUNDING: | 0 | 0 | 0 | 0 | 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 |

Estimate of current year (FY94) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

Prepared by: L.K. Ginger Johnson

Phone: 465-3904

Division: Legislative Liaison

Date: April 13, 1994

Approved by Commissioner: 

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: April 13, 1994

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

BILL NO.: CSHB 135(FIN)

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

Expenditures/Revenues (Thousands of Dollars)

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

| | | | | | | |
|-------------|-----|-----|-----|-----|-----|-----|
| CAPITAL EXP | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|-------------|-----|-----|-----|-----|-----|-----|

| | | | | | | |
|---------------------|-----|-----|-----|-----|-----|-----|
| CHANGES IN REVENUES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|---------------------|-----|-----|-----|-----|-----|-----|

FUND SOURCE

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MIITIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

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

POSITIONS

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

ANALYSIS:

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

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

STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

BILL NO.: CSHB 540(FIN)

| | | | |
|----------------|---|---------------------|----------------------|
| Revision Date: | April 14, 1994 | Dept. Affected: | Corrections |
| Title: | Re. state agency functions (medical care for prisoners) | BRU: | Statewide Operations |
| Sponsor: | HL Rules | Component: | Inmate Health Care |
| Requestor: | IL Fr. | Component Serial #: | 705 |

Expenditures/Revenues (Thousands of Dollars)

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

| | | | | | | |
|-------------|-----|-----|-----|-----|-----|-----|
| CAPITAL EXP | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|-------------|-----|-----|-----|-----|-----|-----|

| | | | | | | |
|---------------------|-----|-----|-----|-----|-----|-----|
| CHANGES IN REVENUES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|---------------------|-----|-----|-----|-----|-----|-----|

FUND SOURCE

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

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

POSITIONS

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

ANALYSIS:

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

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

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSHB 135(FIN)

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

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

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

FUNDING: (Thousands of Dollars)

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

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

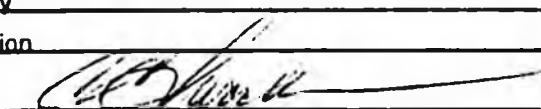
POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS:

* This change would allow the Division of Fire Prevention to charge a fee for the permits the Division issues. The fees proposed are based on the average charged by other states with similar permit programs. The increased revenue would go into the general fund in the form of program receipts that could be used to support the Division's programs.

There will be little or no change in FY 95 because regulations will have to be changed to implement the fees.

Prepared By: Jack McGary Phone: 269-5491
 Division: Fire Prevention Date: 04/14/94
 Approved by Commissioner:  Date: 04/14/94
 Agency: Richard L. Burton, Dept. of Public Safety

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FY 1996

Fire Extinguishers

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

Fire Works

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

TOTAL \$35,675

FY 97, FY 98, FY 99, FY 00

Fire Extinguishers

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

Fire Works

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

Fire Systems

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

TOTAL \$74,175

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSHB 540(FIN)

Revision Date: _____ Dept. Affected: Public Safety
 Title: Governor's Omnibus Bill BRU: Motor Vehicles
 _____ Component: Driver Services
 Sponsor: RLS by Request
 Requestor: (H) Finance COMPONENT SERIAL NO. 500

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

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

FUNDING: (Thousands of Dollars)

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

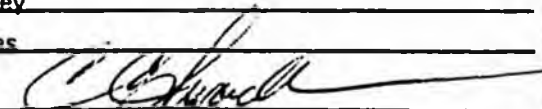
Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

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

ANALYSIS:

Changes to the Motor Vehicle statutes contained in this bill will streamline procedures for functions currently being performed to produce greater efficiencies within the Division.

Prepared By: Juanita Hensley Phone: 465-4361
 Division: Motor Vehicles Date: 04/14/94
 Approved by Commissioner:  Date: 04/14/94
 Agency: Richard L. Burton, Dept. of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSHB 135(FIN)

Revision Date: _____ Dept. Affected: Revenue
 Title: Fees charged by state agencies... BRU: Alcoholic Beverage Control Board
 Component: _____
 Sponsor: House Rules Committee
 Requestor: House Finance Committee **COMPONENT SERIAL NO.** 0100

Expenditures/Revenues: (Thousands of Dollars)

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

| | | | | | | |
|----------------|------------|------------|------------|------------|------------|------------|
| CAPITAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|----------------|------------|------------|------------|------------|------------|------------|

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

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

ANALYSIS: (Attach a separate page if necessary.)
 The Board estimates that a single alcohol servers course will seek certification in FY 95. It is anticipated that a second course will seek certification in FY 96. Certifications are valid for three years. The fee for intial certification is \$400 and the renewal fee is \$200.

Prepared by: Patrick L. Sharrock, Director *Patrick L. Sharrock* Phone: (907) 277-8638
 Division: Alcoholic Beverage Control Board
 Approved by Commissioner: Darrel J. Rexwinkel *Darrel J. Rexwinkel* Date: April 13, 1994
 Agency: Department of Revenue Date: April 13, 1994

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

BILL NO.: HB 540

| | |
|---|--------------------------------------|
| Revision Date: _____ | Dept. Affected: <u>Corrections</u> |
| Title: <u>Improvement of State Finances</u> | BRU: <u>Statewide Operations</u> |
| Sponsor: <u>Rules</u> | Component: <u>Inmate Health Care</u> |
| Requestor: <u>Governor</u> | Component Serial #: <u>705</u> |

Expenditures/Revenues (Thousands of Dollars)

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

| | | | | | | |
|-------------|-----|-----|-----|-----|-----|-----|
| CAPITAL EXP | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|-------------|-----|-----|-----|-----|-----|-----|

| | | | | | | |
|---------------------|-----|-----|-----|-----|-----|-----|
| CHANGES IN REVENUES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|---------------------|-----|-----|-----|-----|-----|-----|

FUND SOURCE

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MITIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

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

POSITIONS

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

ANALYSIS: Section 27 clarifies the standard for mandatory medical services for inmates, which will enable the department to better screen out unnecessary expenses. Section 28 will enhance the department's efforts to collect (from inmates or third parties) payments for medical or other services, which may generate revenue as well as minimizing frivolous requests for services.

Prepared by: Diane Schenker, Special Assistant *D. Schenker*
 Division: Office of the Commissioner
 Approved by: J. Frank Prewitt, Jr., Commissioner *JFP*

Phone: 465-4643/786-2147
 Date: 3/24/94
 Date: 3/24/94

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HB 540

Revision Date: March 22, 1994
Title: "...relating to the improvement of state finances..."
Sponsor: Rules/Request of Governor
Requestor: Governor's Office

Department Affected: Department of Law
BRU: All
Component: All

COMPONENT SERIAL NO. 0086-0090,1823,0093,0097,1421,1410

EXPENDITURES/REVENUES:

| OPERATING | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|-----------------|-------|-------|-------|-------|-------|-------|
| PERSONAL | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | XXXX | XXXX | XXXX | XXXX | XXXX | XXXX |

| | | | | | | |
|---------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|---------|--|--|--|--|--|--|

| | | | | | | |
|---------|--|--|--|--|--|--|
| REVENUE | | | | | | |
|---------|--|--|--|--|--|--|

FUNDING:

| | | | | | | |
|-----------------|------|------|------|------|------|------|
| 1002 Federal | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| OTHER | | | | | | |
| TOTAL | XXXX | XXXX | XXXX | XXXX | XXXX | XXXX |

POSITIONS:

| | | | | | | |
|-----------|------|------|------|------|------|------|
| FULL-TIME | XXXX | XXXX | XXXX | XXXX | XXXX | XXXX |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of current year (FY94) impact: XXXX

ANALYSIS: (Attach a separate page if necessary.)
Please see the attached analysis.

Richard I. Peques

Prepared by: Richard I. Peques, Director

Division: Administrative Services/Division

Phone: 465-3672

Date: March 22, 1994

Approved by Commissioner: Bruce M. Botelho, Attorney General

Agency: Department of Law

Date: March 22, 1994

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS CONTINUATION:

Section 3 of this bill amends AS 09.50 to provide that the doctrine of non-mutual collateral estoppel is abolished in state courts as it is applied against the state relating to trial court decisions. The section would therefore have the effect of reversing the Alaska Supreme Court's decision of February 18, 1994, in State v. United Cook Inlet Drift Association.

The decision concerns the application of the principle of non-mutual collateral estoppel to preclude relitigation of questions of law. Since this sounds complex, an example may be helpful.

For example, a superior court in Barrow decides that a state law or regulation is unconstitutional (i.e., local hire) in a particular case. The state decides not to appeal because the facts were not the best or because the amount in question was small (i.e., \$1,000). If the state did not appeal, the doctrine of non-mutual collateral estoppel means that the state could never relitigate the legal issue if it arose under a different factual situation in Anchorage (i.e., major state construction project) or sizable amount in controversy (i.e., multimillions of dollars). In other words, the state would be bound to the Barrow superior court decision, unless it could convince a court that one of the exceptions to the doctrine applies.

If State v. United Cook Inlet Drift Association is allowed to stand and is broadly interpreted, it would force the state to appeal virtually every court decision in which the state did not prevail. State appeals of child support cases or permanent fund dividend cases alone might produce hundreds of additional new appeals a year. We would certainly need additional assistant attorneys general to adequately represent these appeals. Also, the court would likely incur additional costs to resolve these appeals.

Consequently, the burden on the public should be considered. Presently, the state only appeals a very limited number of cases with "big ticket" legal principles. We carefully screen cases to make sure that the court is presented with the clearest fact situation and that we do not abuse the public finances by appealing minor cases. Adoption of this bill will avoid the considerable expense to the state of appealing each and every trial court decision in the state, where application of the decision elsewhere would have an adverse impact on the civil and criminal activities of state government. The cost for bringing these appeals could easily approach several hundred thousand dollars annually. Moreover, there would also be a considerable cost to state programs and private individuals and businesses, if state regulatory or grants-in-aid activity is disrupted as a result of a "minor" adverse court decision.

FISCAL NOTE

No. 6
 Bill Version: HB 540
 (H) Publish Date: 3/23/94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL

Revision Date: _____ Dept. Affected: Office of the Governor
 Title: "An Act relating to the improvement of state finances ... BRU: Management and Budget
making changes to state agency functions or procedures" Component: Budget Review
 Sponsor: Rules Committee
 Requestor: Governor COMPONENT SERIAL NO. 16

| Expenditures/Revenues | (Thousands of Dollars) | | | | | |
|------------------------|------------------------|------------|------------|------------|------------|------------|
| OPERATING EXPENDITURES | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 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 | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

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

| POSITIONS | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the Office of Management and Budget.

Prepared by: Nancy Slagle, Director *Nancy Slagle* Phone: 465-4681
 Division: Office of Management and Budget, Division of Budget Review Date: 3/22/94
 Approved by Commissioner: *[Signature]* Date: 3/22/94
 Agency: Office of the Governor

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 7
Version: HB 540
(H) Publish Date: 3/23/94

Revision Date: _____ Dept. Affected: Public Safety
Title: Improvement of State Finances BRU: Motor Vehicles
Component: Driver Services
Sponsor: RIS by Request
Requestor: Governor COMPONENT SERIAL NO. 500

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

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

FUNDING: (Thousands of Dollars)

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

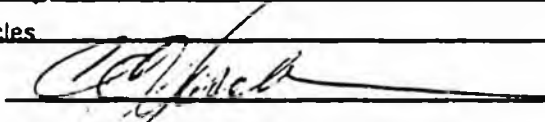
Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

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

ANALYSIS:

Changes to the Motor Vehicle statutes contained in this bill will streamline procedures for functions currently being performed to produce greater efficiencies within the Division.

Prepared By: Juanita Hensley Phone: 465-4361
Division: Motor Vehicles Date: 03/08/94
Approved by Commissioner:  Date: 03/08/94
Agency: Richard V. Burton, Dept. of Public Safety

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FISCAL NOTE

Revision Date:
Title: Improvement of State Finances

Department Affected: DOT&PF
BRU:

Sponsor: Rules Committee
Requestor: Governor

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
|-------------------------|----------|----------|----------|----------|----------|----------|
| PERSONAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 |
| TRAVEL | 0 | 0 | 0 | 0 | 0 | 0 |
| CONTRACTUAL | 0 | 0 | 0 | 0 | 0 | 0 |
| SUPPLIES | 0 | 0 | 0 | 0 | 0 | 0 |
| EQUIPMENT | 0 | 0 | 0 | 0 | 0 | 0 |
| LAND & STRUCTURES | 0 | 0 | 0 | 0 | 0 | 0 |
| GRANTS, CLAIMS | 0 | 0 | 0 | 0 | 0 | 0 |
| MISCELLANEOUS | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL OPERATING: | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|---------|---|---|---|---|---|---|
| CAPITAL | 0 | 0 | 0 | 0 | 0 | 0 |
|---------|---|---|---|---|---|---|

| | | | | | | |
|---------------------|---|---|---|---|---|---|
| REVENUE FUND SOURCE | 0 | 0 | 0 | 0 | 0 | 0 |
|---------------------|---|---|---|---|---|---|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|--------------------------|----------|----------|----------|----------|----------|----------|
| 1002 FEDERAL RECEIPTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 1003 GF MATCH | 0 | 0 | 0 | 0 | 0 | 0 |
| 1004 GF | 0 | 0 | 0 | 0 | 0 | 0 |
| 1005 GF/PROGRAM RECEIPTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 1006 GF/MHTIA | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL FUNDING: | 0 | 0 | 0 | 0 | 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 |

Estimate of current year (FY94) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Roger Allington

Phone: 465-4070

Division: Statewide Planning

Date: March 22, 1994

Approved by Commissioner: B.A. Campbell

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: March 22, 1994

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No. 9

Bill Version: HB 540

(H) Publish Date: 3/23/94

FISCAL NOTE

**STATE OF ALASKA
1994 LEGISLATIVE SESSION**

BILL

Revision Date:

Title: Omnibus Fee Bill

Sponsor: Governor

Requestor: Governor

Dept. Affected:

BRU:

Component:

Revenue

Alcoholic Beverage Control Board

COMPONENT SERIAL NO. 0100

Expenditures/Revenues:

(Thousands of Dollars)

| OPERATING | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
|----------------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TRAVEL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CONTRACTUAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUPPLIES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| EQUIPMENT | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| LAND & STRUCTURES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| GRANTS, CLAIMS | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| MISCELLANEOUS | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CAPITAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| REVENUE FUND SOURCE: 1005 | 0.4 | 0.4 | 0.8 | 0.0 | 0.2 | 0.0 |

FUNDING:

(Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/MHTA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

POSITIONS:

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

Estimate of current year (FY94) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

(Empty box for analysis)

Prepared by:

Director, Patrick L. Sharack

Phone: (907) 277-8658

Division:

Alcoholic Beverage Control Board

Date: March 22, 1994

Approved by Commissioner:

Daniel J. Rexwinkel

Date: 3/23/94

Agency:

Department of Revenue

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

No. 5
Bill Version: HB 540
(H) Publish Date: 3/23/94

Revision Date: _____ Dept. Affected: Community & Regional Affairs
Title: An Act relating to improvement of state BRU: Child Assistance
finances . . . and providing for an effective date. Component: Day Care Assistance, Head Start
Sponsor: RULES
Requestor: Rules Committee by request of the Governor COMPONENT SERIAL NO. 1414, 659

Expenditures/Revenues: (Thousands of Dollars)

| OPERATING | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|---------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|---------|--|--|--|--|--|--|

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| REVENUE FUND SOURCE: | | | | | | |
|----------------------|--|--|--|--|--|--|

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current (F'94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Remond Henderson *Remond Henderson* Director Phone: 465-4708
Division: Administrative Services Date: 3/7/94
Approved by Commissioner: *Edgar Blatchford* Date: 3/7/94
Agency: Community & Regional Affairs

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FISCAL NOTE

No. 2
 Bill Version: HB 540
 (H) Publish Date: 3/23/94

**STATE OF ALASKA
 1994 LEGISLATIVE SESSION**

BILL NO.

Revision Date: _____
 Title: _____
 Sponsor: Rules Committee
 Requestor: Governor

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

Expenditures/Revenues: (Thousands of Dollars)

| | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|-----------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| OPERATING EXPENDITURES | | | | | | |
| PERSONAL SERVICES | 67.5 | 133.4 | 133.4 | 133.4 | 133.4 | 133.4 |
| TRAVEL | | | | | | |
| CONTRACTUAL | 49.3 | 27.0 | 27.0 | 27.0 | 27.0 | 27.0 |
| SUPPLIES | 1.2 | 1.8 | 1.8 | 1.8 | 1.8 | 1.8 |
| EQUIPMENT | 10.0 | 5.0 | | | | |
| LAND&STRUCTURES | | | | | | |
| GRANTS,CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 128.0 | 167.2 | 162.2 | 162.2 | 162.2 | 162.2 |
| CAPITAL EXPENDITURES | | | | | | |
| CHANGE IN REVENUES (1005) | 670.2 | 820.2 | 820.2 | 820.2 | 820.2 | 820.2 |

FUND SOURCE

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

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

POSITIONS:

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

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

Prepared by: *[Signature]*
 Division: Info. & Admin Services
 Approved by Commissioner: *[Signature]* See 1A5
 Agency: Department of Environmental Conservation

Phone: 465-5010
 Date: 3/9/94
 Date: 3/9/94

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

**REQUEST FOR
NEW POSITION**

AGENCY ENVIRONMENTAL CONSERVATION

BRU ADMINISTRATION

COMPONENT INFORMATION & ADMINISTRATIVE SERVICES

FY 94

Page 2 of 4
Revised Date

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

**REQUEST FOR
NEW POSITION**

AGENCY ENVIRONMENTAL CONSERVATION

FY 94

BRU ADMINISTRATION

Page 3 of 4
Revised Date

COMPONENT COMMISSIONER'S OFFICE

3/10/94

Section 29. AS 44.46.025 is amended to read:

(10) regulating pesticides and broadcast chemicals under AS 46.03.320

Environmental Health BRU Palmer Lab Component (#651)

Anticipated Revenues (Begin collections FY96 = \$150.0)

Anticipated Costs

DLaw Reg Development

Forms/Printing

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

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

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

Anticipated Revenues

Anticipated Costs

DLaw Reg Development

Forms/Printing

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

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

Anticipated Revenues

Anticipated Costs

DLaw Reg Development

Forms/Printing

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

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

Anticipated Revenues

Anticipated Costs

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

Environmental Quality BRU, Air Quality Component (#1428)

Anticipated Revenues

Anticipated Costs

General Regulation Support

Administration BRU, Commissioner's Office Component

1 PFT Regulations Specialist Position + related costs

Administration BRU, Information & Administrative Services Component

1 PFT Accounting Clerk III Position + related costs

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

**STATE OF ALASKA
1994 LEGISLATIVE SESSION**

No. 4
 Bill Version: HB 540
 (H) Publish Date: 3/23/94

Revision Date: _____ Dept. Affected: Administration
 Title: Omnibus Bill BRU: Leasing & Facilities
 Component: Leasing
 Sponsor: Rules
 Requestor: Governor COMPONENT SERIAL NO. 81

Expenditures/Revenues: (Thousands of Dollars)

| OPERATING | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|------------------------|----------|----------|----------|----------|----------|----------|
| PERSONAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 |
| TRAVEL | 0 | 0 | 0 | 0 | 0 | 0 |
| CONTRACTUAL | 0 | 0 | 0 | 0 | 0 | 0 |
| SUPPLIES | 0 | 0 | 0 | 0 | 0 | 0 |
| EQUIPMENT | 0 | 0 | 0 | 0 | 0 | 0 |
| LAND & STRUCTURES | 0 | 0 | 0 | 0 | 0 | 0 |
| GRANTS, CLAIMS | 0 | 0 | 0 | 0 | 0 | 0 |
| MISCELLANEOUS | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL OPERATING | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|----------------|----------|----------|----------|----------|----------|----------|
| CAPITAL | 0 | 0 | 0 | 0 | 0 | 0 |
|----------------|----------|----------|----------|----------|----------|----------|

| | | | | | | |
|-----------------------------|----------|----------|----------|----------|----------|----------|
| REVENUE FUND SOURCE: | 0 | 0 | 0 | 0 | 0 | 0 |
|-----------------------------|----------|----------|----------|----------|----------|----------|

FUNDING:

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

Estimate of current year (FY94) impact: \$ 0

ANALYSIS: (attach a separate page if necessary.)

See attachment.

Prepared By: Dugan Petty, Director *Dugan Petty*
 Division: General Services

Phone: 465-2250
 Date: _____

Approved by Commissioner: Nancy Bear Usura
 Agency: Department of Administration

Date: 3/24/94

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ANALYSIS

Section 29 increases the length allowed for lease extensions authorized under SB 129 during the last legislative session from 5 years to 10 years. We anticipate that some lessors who are not willing to negotiate lease rate reductions and ADA modifications in exchange for a 5 year lease extension will be willing to extend leases for 10 years because of more favorable financing opportunities and longer amortization periods. There are up to 24 leases that offer the potential for savings in exchange for a 10 year extension. The actual amount of savings is dependent upon negotiations, lessor's ability to refinance existing obligations and costs for ADA improvements. A rough review of leases suggests a potential in the range of \$165.0 - \$325.0. Since the leasing budget is historically under funded, any savings achieved through negotiations would reduce the amount requested in a supplemental appropriation.

Section 30 amends the small procurement section of the Procurement Code to include leases that do not exceed 2,500 square feet or \$5,000 per month. This will allow for informal and therefore less cumbersome procurements for certain leases. DGS believes that this change will allow for greater efficiencies in lease acquisition which will permit DGS Contracting Officers to concentrate their efforts on the backlog of lease renewals and bids - thereby reducing the risk of premium payments for unplanned lease extensions and evictions. The current inventory of leases shows 144 leases that fit in this category.

FISCAL NOTE

No. 1

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Bill Version: HB 540

(H) Publish Date: 3/23/94

Revision Date: _____

Department Affected: Statewide

Title: An Act relating to the improvement of state finances...

BRU: Statewide

Sponsor: Rules

Component: Statewide

Requestor: Governor

COMPONENT SERIAL NO. _____

EXPENDITURES/REVENUES:

(Thousands of Dollars)

| OPERATING | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|-------------------|---------|---------|---------|---------|---------|---------|
| PERSONAL SERVICES | (147.7) | (147.7) | (147.7) | (147.7) | (147.7) | (147.7) |
| TRAVEL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CONTRACTUAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUPPLIES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| EQUIPMENT | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| LAND & STRUCTURES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| GRANTS, CLAIMS | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| MISCELLANEOUS | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TOTAL OPERATING | (147.7) | (147.7) | (147.7) | (147.7) | (147.7) | (147.7) |

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

| | | | | | | |
|--------------------|-----|-----|-----|-----|-----|-----|
| CHANGE IN REVENUES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|--------------------|-----|-----|-----|-----|-----|-----|

FUNDING SOURCE:

(Thousands of Dollars)

| | | | | | | |
|-----------------------|-----|-----|-----|-----|-----|-----|
| 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 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 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 |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 94) cost: \$ 0.0

POSITIONS:

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

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

Prepared by: Don Wanie *DW*
Division: Finance

Phone: 465-2240

Date: _____

Approved by Commissioner: Nancy Bear Usher
Agency: Department of Administration

Date: 3/14/94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS:

Section 31 of this bill has no fiscal impact on the Division of Finance.

Section 35 - Under the current statute (AS 39.20.250), terminating employees receive pay for their accumulated leave as though they had remained in pay status until the leave is exhausted. This means holidays that occur in the pay period become state paid holidays.

With the proposed change, terminating employees will be paid only for the hours of annual/personal leave on the books at the time of termination. No state paid holidays would be included.

Approximately 20% of state employees are affected by the proposed change. They represent approximately 600 terminations per year with an average leave payoff of six weeks pay. An average leave payoff would include 1.5 state paid holidays per person. This translates to 900 state paid holidays for this group annually. The statewide value of these holidays for this group of employees is \$147.7 annually.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL

No. 3
Bill Version HB 540
(H) Publish Date: 3/23/94

Revision Date: _____ Dept. Affected: Public Safety
Title: Improvement of State Finances BRU: Fire Prevention
Component: Fire Prevention Operations
Sponsor: RLS by Request
Requestor: Governor COMPONENT SERIAL NO. 494

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

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

FUNDING: (Thousands of Dollars)

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

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

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS:

* This change would allow the Division of Fire Prevention to charge a fee for the permits the Division issues. The fees proposed are based on the average charged by other states with similar permit programs. The increased revenue would go into the general fund in the form of program receipts that could be used to support the Division's programs.

There will be little or no change in FY 95 because regulations will have to be changed to implement the fees.

Prepared By: Jack McGary Phone: 269-5491
Division: Fire Prevention Date: 03/08/94
Approved by Commissioner: *[Signature]* Date: 03/08/94
Agency: Richard L. Burson, Dept. of Public Safety

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Mike
3/8/94

FY 1996

Fire Extinguishers

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

Fire Works

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

TOTAL \$35,675

FY 97, FY 98, FY 99, FY 00

Fire Extinguishers

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

Fire Works

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

Fire Systems

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

TOTAL \$74,175

Place in HB 540 File

Amendment From Gov. For
Sec. 33 HB 540

HB 540

Page 13, lines 8 - 18:

Delete all material.

Insert a new bill section to read:

"* Sec. 33. AS 37.07.060 is amended by adding a new subsection to read:

(c) The reporting requirements of (b)(3) of this section are modified with respect to the program of the Department of Transportation and Public Facilities. The governor's report must contain, for that department, the governor's capital improvements construction program for the succeeding construction season, budget recommendations for the succeeding fiscal year, and capital improvements construction program for the succeeding six fiscal years which must include

(1) a general description of each project and the source of financing for the project; and

(2) the information required by (b)(3)(B) - (H) of this section."

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

April 1, 1994

HAND DELIVERED

The Honorable Ron Larson
Co-Chairman of State House
Finance Committee
State Capitol, Room 502
Juneau, Alaska 99801-1182

The Honorable Eileen MacLean
Co-Chairman of State House
Finance Committee
State Capitol, Room 507
Juneau, Alaska 99801-1182

Re: Amendment to HB 540

Dear Co-Chairman Larson and MacLean:

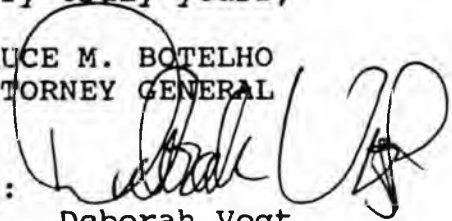
In reviewing * Section 33 of the Governor's omnibus legislation relating to the improvement of state finances and fiscal accountability, it has become apparent that the section was not clearly drafted. We have had several questions regarding its meaning. As a result, we have redrafted the section in a way that more clearly accomplishes what the Governor wanted.

Enclosed is a proposed amendment to the legislation. We would appreciate it if you would submit the proposal to the House Finance Committee, when it takes up this legislation.

Thank you very much for your consideration.

Very truly yours,

BRUCE M. BOTELHO
ATTORNEY GENERAL

By: 
Deborah Vogt
Assistant Attorney General

/DV:ae
Enclosure

cc: Bruce Campbell, Commissioner, DOT & PF
Deborah Behr, Assistant Attorney General
John Gaguine, Assistant Attorney General

WALTER J. HICKEL, GOVERNOR

PLEASE REPLY TO:

1031 WEST 4TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1994
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FAX: (907) 276-3697

KEY BANK BUILDING
100 CUSHMAN ST., SUITE 400
FAIRBANKS, ALASKA 99701-4679
PHONE: (907) 451-2811
FAX: (907) 451-2846

P.O. BOX 110300 - STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-6735

(907) 465-3603

(FAX) 465-2539

HOUSE BILL 540/SENATE BILL 365 - IMPROVING STATE FINANCES - SECTIONAL

| Section | Department | Brief Description | Revenues (including savings) |
|---------|------------------------------------|--|---------------------------------|
| 1 | | States the purpose of Section 3 of this bill related to non-mutual collateral estoppel | |
| 2 | Revenue | Allows the department to charge fees for approving alcohol server education courses | |
| 3 | Law | Abolishes non-mutual collateral estoppel against the state - This will result in avoiding costs related to the pursuit of extensive appeals | |
| 4 | Public Safety | Allows the department to set and charge fees for permits issued to persons who service portable fire extinguishers and persons who design, install, or service fire alarm and fire suppression systems | |
| 5 | Public Safety | Allows the department to set and charge fees for permits issued to persons who use dangerous fireworks displays | |
| 6 | Public Safety | Allows the department to set in regulations the fee charged for retail fireworks permits | Revenues expected in FY96 |
| 7 | Public Safety | Allows the department to set in regulations the fee charged for wholesale fireworks permits | Revenues expected in FY96 |
| 8 | Transportation & Public Facilities | Amends long-range program consistent with the Federal Highway Act of 1991 | |
| 9 | Transportation & Public Facilities | Clarifies the construction season report | |

HOUSE BILL 540/SENATE BILL 365 - IMPROVING STATE FINANCES - SECTIONAL

| Section | Department | Brief Description | Revenues (including savings) |
|---------|------------------------------------|---|---------------------------------|
| 10 | Transportation & Public Facilities | Eliminates the requirement to conform closely with standards adopted by the American Association of State Highway and Transportation Officials to provide increased flexibility to meet Alaska's unique circumstances | |
| 11 | Public Safety | Allows the department to use a certified computer printed record in court in the same manner as the original document | |
| 12 | Public Safety | Changes the method of notice for license actions from certified to first class mail | |
| 13 | Public Safety | Allows hearings to be conducted by telephone in areas where no departmental hearing officers are located and allows the department discretion of determining where and when a hearing is needed in person | |
| 14 | Public Safety | Extends the time period for dealer temporary permits from 30 to 60 days | |
| 15 | Public Safety | Repeals the requirement to have all commercial and special registrations expire in a certain month - This was only required for initial implementation of staggered registration | |
| 16-17 | Public Safety | Allows hearings to be conducted by telephone and allows the department the discretion of determining where and when a hearing is needed in person | |
| 18-26 | Public Safety | Increases the dollar amount from \$500 to \$1,500 of damages for reporting and proof of financial responsibility | |

HOUSE BILL 540/SENATE BILL 365 - IMPROVING STATE FINANCES - SECTIONAL

| Section | Department | Brief Description | Revenues (including savings) |
|---------|------------------------------------|--|------------------------------------|
| 27-28 | Corrections | Clarifies the department's legal obligation to provide access to medical treatment and allows the department to seek payment for medical care from third party payers | |
| 29 | Administration | Allows the extension of existing leases up to 10 years if a certain cost savings can be realized as specified in this section | |
| 30 | Administration | Allows leases of \$5,000 or less per month to be bid under small procurement regulations | |
| 31 | Administration | Limits the life of a warrant to one year and brings this statute in line with AS 34.45.250 that considers unrepresented payroll warrants as unclaimed property after one year | |
| 32 | Governor's Office | Eliminate 6-year plan and replaces it with a multi-year program in either fiscal year or priority format | |
| 33 | Transportation & Public Facilities | Amends the capital project description requirements for the department to include a general description and source of financing for proposed projects | |
| 34 | Administration | Allows payment of obligations from current year's appropriation if the obligation date is not more than 4 years rather than 2 years old. This would reduce the annual request for miscellaneous claims supplemental appropriation | |
| 35 | Administration | Terminating non-covered employees would be paid based on hours of annual/personal leave accumulated at separation date. Currently, these employees are paid for hours accumulated and state holidays that would have occurred had the employee been on leave | 147.7 |

HOUSE BILL 540/SENATE BILL 365 - IMPROVING STATE FINANCES - SECTIONAL

| Section | Department | Brief Description | Revenues (including savings) |
|---------|---------------------------------------|--|------------------------------------|
| 36-37 | Transportation & Public Facilities | Allows the department to develop the long-range plan consistent with applicable federal laws | |
| 38 | Environmental Conservation | Allows the department to charge for both indirect and direct costs on fees and adopt regulations to charge for pesticide registration, collect a fee for subdivision plan reviews, charge fees for bank loan audits, charge fees for analyses of water systems, and for regulation motor vehicle fuels | 420.2 |
| 39 | Community & Regional Affairs | Allows adoption of regulations to maximize the administration and enforcement of the Head Start Program for fiscal accountability | |
| 40 | Community & Regional Affairs | Converts income guidelines for the Day Care Assistance Program to allow use of gross income versus net income to determine eligibility | |
| 41 | Environmental Conservation | Establishes in statute the on-site water and sewer system certification and audit program - see section 38 | 250.0 |
| 42 | Environmental Conservation | Restricts the department review of sewerage system plans in areas where local codes are established | |
| 43 | Public Safety | Repeals AS 28.10.108(b) that requires commercial and special registrations to expire in a certain month - see section 15 | |
| 43 | Public Safety | Repeals AS 28.22.041(h) relating to proof of motor vehicle liability insurance in the case of an accident - see section 24 | |

HOUSE BILL 540/SENATE BILL 365 - IMPROVING STATE FINANCES - SECTIONAL

| Section | Department | Brief Description | Revenues (including savings) |
|---------|---------------------------------------|--|------------------------------------|
| 43 | Administration | Repeals AS 39.20.250(b) that provides for recovery of terminal leave payments and restoration of equivalent leave credit if an employee is reemployed during the period covered by terminal leave - see section 35. | |
| 43 | Transportation & Public Facilities | Repeals AS 44.42.050(d) requiring itemization of estimated costs for proposed capital budget projects and allocations for transportation construction projects and necessary contingencies within the general appropriations act | |
| 44 | | Allows departments to proceed to adopt necessary regulations to implement their respective sections in this bill | |
| 45 | Law | Makes sections 1 and 3 retroactive to February 18, 1994 | |
| 46 | | Provides an immediate effective date for sections 1, 3, 44 and 45 | |
| 47 | | Provides for a July 1, 1994 effective date for all sections not noted in section 46 | |

STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET DIVISION OF BUDGET REVIEW

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-3568

April 8, 1994

The Honorable Eileen MacLean
The Honorable Ron Larson
Co-Chair, House Finance Committee
State Capitol
Juneau, AK 99801-1182

Dear Representatives MacLean and Larson:

This is in response to items contained in David Dierdorff's memorandum to you regarding HB 540. Based on consultation with the Department of Law, I am requesting the House Finance Committee to prepare a committee substitute for HB 540 to eliminate violations of the single subject rule. The following are the necessary changes that we are requesting for this bill:

- 1) a new title to read "An act relating to reducing costs of state government by modifying agency procedures or functions and by providing for delegation of certain agency functions;"
- 2) all sections deleted from the bill except the following: 8-10, 11-26, 27, 29, 30, 32, 33, 35-36, 37, 41, 42, repeals of AS 28.10.108(b) and AS 44.42.050(d) from section 43;
- 3) your consideration of the language change to section 33 included in the attached letter to Senator Loren Leman from the Department of Law; and
- 4) the addition of three new sections included in Commissioner Mahlen's memo dated April 6, 1994, relating to changes in the Alaska Workers Compensation Act. These new sections will help reduce the need for administrative hearings.

We also recommend that a committee substitute be prepared for HB 135. This is a Governor's requested bill from last year that is in House Finance. The following reflects needed action to this bill:

- 1) a new title to read "An act relating to enhancing state revenue through agency fees or by seeking payment for the state;"
- 2) the inclusion of the following sections extracted from the original HB 540: 2, 4-7, 28 and 38; and
- 3) the addition of a new section that increases fees for issuance of licenses related to driver training schools and instructors (see attached language and explanation).