

ALASKA LEGISLATURE

2141

HOUSE and SENATE FINANCE COMMITTEE FILES, 1999 - 2000

SB

269

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/11/00

3/6/00

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/6/00

Finance Committee considered

SENATE BILL NO. 269

"An Act relating to the deadline for the submission of monetary terms of collective bargaining contracts between the state and a labor or employee organization representing state employees to the legislature."

and recommends:

- be replaced with _____ *as SR 269* _____ *(Fin)*
- adopt previous _____ *(_____)*
- attached amendment(s) *Forthcoming*
- adopt Letter of Intent by _____ *CS* mittee
- further referral to the _____ mittee

- Senate Bill:
 same title
 new title
 House Bill:
 same title
 technical title
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Stall E. Hill</i>	✓	<i>Ed Adams</i>	X		
<i>Lynne Meyer</i>	✓				
<i>Steve Kelly</i>	✓				
<i>Loren D. Lember</i>	✓				
<i>Gary White</i>	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>Admin.</i>	<i>2/22/00</i>	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. SB 269

3/6/00

Revision Date/Time (Note if Correction): _____
 Title: Deadline for Submission of Monetary Terms

Department Affected: ALL
 BRU: Centralized Admin. Service
 Component: Office of the Commissioner

Sponsor: Senator Pearce
 Requestor: (S) FIN

COMPONENT SERIAL NO. 45

Expenditures/Revenues: (Thousands of Dollars)
 Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2001	FY 2002	FY2003	FY 2004	FY 2005	FY 2006
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 2000) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact.

Prepared by: Assistant Commissioner David Koivuniemi
 Division: Commissioner's Office

Phone: 465-2200
 Date: _____

Approved by Commissioner: Robert Poe Jr.
 Agency: Department of Administration

Date: 2/22/00

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SENATE FINANCE
COMMITTEE

Amendment Number: 24
Bill Number: SB 269
Sponsor: J. Pardo Date: 3/6/00
Logged In By: Jamie

1-LS1386A.1 ✓
Cramer
3/4/00

Adopted

A M E N D M E N T

OFFERED IN THE SENATE

TO: SB 269

- 1 Page 1, line 1:
- 2 Delete "monetary terms of"

- 3 Page 1, line 9:
- 4 Delete "terms"
- 5 Insert "final contract"

SENATE FINANCE COMMITTEE
2000 COMMITTEE ACTION

Bill Number	<i>SB 269</i>
Amendment	<i>#2</i>
Motion	
<u>Motion by</u>	<i>JW</i>
Objection	
<u>Objection by</u>	
Removed	
<u>Second Objection by</u>	
<u>Committee Member</u>	<u>Vote</u>
Senator Dave Donley	
Senator Loren Leman	
Senator Al Adams	
Senator Gary Wilken	
Senator Pete Kelly	
Senator Lyda Green	
Senator Randy Phillips	
Co-Chair Sean Parnell	
Co-Chair John Torgerson	
<u>Tally</u>	
Yea	0
Nay	0
Absent	0
<u>MOTION</u>	<i>Adopted</i>

*Strike part 1 and
insert the rest
of the bill, including
the...*

SB

270

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 24, 2000

FURTHER REFERRALS:

Date of Committee Action: 4/25/00

The FINANCE Committee considered:

SB 270

SENATE BILL NO. 270

STUDENT LOAN CORP PAYMENTS TO STATE

"An Act relating to return of contributed capital, or payment of a dividend, to the state by the Alaska Student Loan Corporation; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ [] the same title
 [] a new title

[] additional referral to _____ Committee
 [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date)
 [] fiscal note(s) _____ [] fiscal note(s) _____

[] zero fiscal note(s) _____ [] zero fiscal note(s) AK STUDENT LOAN CORP. 2/11/00

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Con Bunde</i>	Bunde			✓	
<i>Alan Austin</i>	Austinman	X			
<i>Ben Grossman</i>	Grossman	X			
<i>Carol E. Thomas</i>	Mosis	X			
<i>John J. Daus</i>	G. Daus	X			
<i>W.B. Williams</i>	Williams			X	
<i>Phil Phillips</i>	Phillips	✓			
<i>[Signature]</i>	Foster	X			

Vice CHAIR'S SIGNATURE *Con Bunde*
 Bunde

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

No. 1
Bill Version: SB 270
(S) Publish Date: 2-11-00

Revision Date/Time (Note if correction) _____ Dept. Affected EED
Title An Act relating to return of contributed capital, or payment BRU ACPE
of dividend, to the state by the Alaska Student Loan Corpora... Component Alaska Student Loan Program
Sponsor Rules Committee
Requester Governor Component No. 18010

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Based on current projections, the payment for FY01 could be between \$0.6 million and \$2.2 million, and future years would vary in accordance with the statutory provisions and future net income amounts.

Prepared by: Donna Mayfield, Exec. Secretary Phone 465-6740
Division Exec. Office Date/Time 2/10/00 9:30 a.m.
Approved by Executive Officer *Diane Barrans*, Diane Barrans Date 2/10/2000
Agency ACPE/ALASKA STUDENT LOAN CORPORATION

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TONY KNOWLES
GOV. 2004
2004-2008

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

RECEIVED
FEB 11 2000
OFFICE OF THE GOVERNOR

AK-270

February 10, 2000

The Honorable Drue Pearce
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Pearce:


Since 1995, the Alaska Student Loan Corporation has transformed the loan program from an operation posting a \$7 million annual loss to one with a \$6.3 million net income. The exceptional success of the corporation means it is now able to pay dividends back to the state as a return of the capital contributed in 1987 when the corporation was created.

This bill I transmit today provides for the corporation to issue annual payments to the state in years when the corporate net income is at least \$2 million. The payment would be between 10 and 35 percent of the net income, subject to provisions of applicable bond indentures of the corporation.

A fitting use for the dividend income would be to fund the Alaska Scholars Program. This scholarship program at the University of Alaska rewards the top high school students in our state and offers them an opportunity to continue their higher education. The program is estimated to reach a cost of about \$3.6 million and will need general fund support by fiscal year 2002.

Alaska students have reaped great benefits from the state's student loan program. Now that the program can repay some of that investment to the state, we should continue to invest it right back into the education of our young adults. I urge your prompt and favorable action on this measure to receive payments from the Alaska Student Loan Corporation and the intent to use these receipts to fund the Alaska Scholars Program.

Sincerely,


Tony Knowles
Governor

STATE OF ALASKA

ALASKA STUDENT LOAN CORPORATION

3030 VINTAGE BLVD.
JUNEAU, ALASKA 99801-7109
PHONE (907) 465-6740
FAX (907) 465-3293

April 19, 2000

VIA FACSIMILE TRANSMISSION

The Honorable Sean Parnell, Co-Chair
Finance Committee
Alaska State Senate
State Capitol, Room 518
Juneau, Alaska 99801-1182

The Honorable John Torgerson, Co-Chair
Finance Committee
Alaska State Senate
State Capitol, Room 516
Juneau, Alaska 99801-1182

The Honorable Eldon Mulder, Co-Chair
Finance Committee
Alaska House of Representatives
State Capitol, Room 507
Juneau, Alaska 99801-1182

The Honorable Gene Therriault, Co-Chair
Finance Committee
Alaska House of Representatives
State Capitol, Room 511
Juneau, Alaska 99801-1182

Re: HB373 and SB270

Dear Senate and House Finance Committee Co-Chairs:

I am writing to request your support for passage of HB373 and SB270, an Act relating to return of contributed capital, in this 21st Session of the Alaska Legislature.

I am convinced that passage of this legislation in the current session is critical to insure that relevant proposed appropriation mechanisms in the State FY01 Operating

Senate and House Finance Committee Co-Chairs
April 19, 2000
Page - 2 -

Budget do not inadvertently harm the Alaska Student Loan Corporation or the customers we serve.

In developing the budget proposal, both House and Senate staff did work with the Corporation to insure that the amount of Corporation funding appropriated to pay for unrelated government operations could be accommodated by the Corporation and fell within the parameters of HB373 and SB270. It was clear that we have a shared interest in the continuing well being of the Alaska Student Loan programs, and I am very appreciative of that consideration.

However, I must convey to you that unless this legislation is passed in the current session, there will likely be negative impacts as a result of this year's budget structure. Once the Corporation board endorsed the concept of beginning to return contributed capital to the State, legislative language was developed and discussed with both our bond insurer and the rating agencies that rate our bonds. These meetings were positive, and these entities viewed the bill's approach as a reasonable and conservative method for the Corporation to return contributed capital to the ASLC's original financing source.

My hope is that our shared commitment to the continued financial improvement for the Corporation can extend to supporting this legislation. Because of the troubled financial history of the Corporation, both the rating agencies and the bond insurer scrutinize events and issues that impact or are of importance to this agency. Additionally, any legislation relating to the Corporation or its programs are described in the Official Statement produced for each bond issue. Failure to support this legislation, in conjunction with the budgetary appropriation of Corporation receipts, will be interpreted as a rejection of the measured approach to returning contributed capital contained in this bill.

While I have been very pleased to share with you the recent successes of this public corporation, I must point out that this positive trend is relatively short-lived and fragile. The Corporation's ratings upgrade is not yet a year old and the reduced bond issuance costs (including the cost of insurance) is a reflection of the recent confidence the financial market has in the management of, and broad-based support for our programs. My objective in seeking your assistance with this legislation is to extend this positive trend and avoid a deterioration that could result in additional cost to the Corporation or our customers.

Senate and House Finance Committee Co-Chairs
April 19, 2000
Page - 3 -

Thank you in advance for your consideration of this matter, and, of course, I am available to discuss it further at your convenience.

Sincerely,



Diane Barrans
Executive Officer

DB/dm

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

No. 1
Bill Version: SB 270
(S) Publish Date: 2-11-00

Revision Date/Time (Note if correction) _____ Dept. Affected EED
Title An Act relating to return of contributed capital, or payment BRU ACPE
of dividend, to the state by the Alaska Student Loan Corpora... Component Alaska Student Loan Program
Sponsor Rules Committee
Requester Governor Component No. 18010

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Based on current projections, the payment for FY01 could be between \$.6 million and \$2.2 million, and future years would vary in accordance with the statutory provisions and future net income amounts.

Prepared by: Donna Mayfield, Exec. Secretary Phone 465-6740
Division Exec. Office Date/Time 2/10/00 9:30 a.m.
Approved by Executive Officer *Diane Barrans*, Diane Barrans Date 2/10/2000
Agency ACPE/ALASKA STUDENT LOAN CORPORATION

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TONY KNOWLES
Governor

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

PLEASE RETURN TO
STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU, ALASKA 99801-1182

2/10/00

February 10, 2000

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President of the Senate
Alaska State Legislature
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Juneau, AK 99801-1182

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Sincerely,



Tony Knowles
Governor

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3030 VINTAGE BLVD
JUNEAU, ALASKA 99801-7109
PHONE (907) 465-6740
FAX (907) 465-3293

April 19, 2000

VIA FACSIMILE TRANSMISSION

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Alaska State Senate
State Capitol, Room 518
Juneau, Alaska 99801-1182

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Senate and House Finance Committee Co-Chairs

April 19, 2000

Page - 2 -

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While I have been very pleased to share with you the recent successes of this public corporation, I must point out that this positive trend is relatively short-lived and fragile. The Corporation's ratings upgrade is not yet a year old and the reduced bond issuance costs (including the cost of insurance) is a reflection of the recent confidence the financial market has in the management of, and broad-based support for our programs. My objective in seeking your assistance with this legislation is to extend this positive trend and avoid a deterioration that could result in additional cost to the Corporation or our customers.

Senate and House Finance Committee Co-Chairs
April 19, 2000
Page - 3 -

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Sincerely,



Diane Barrans
Executive Officer

DB/dm

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

No. 1
Bill Version: SB 270
(S) Publish Date: 2-11-00

Revision Date/Time (Note if correction) _____ Dept. Affected EED
Title An Act relating to return of contributed capital, or payment BRU ACPE
of dividend, to the state by the Alaska Student Loan Corpora... Component Alaska Student Loan Program
Sponsor Rules Committee
Requester Governor Component No. 18010

Expenditures/Revenues (Thousands of Dollars)

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

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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						
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Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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POSITIONS

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Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

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Prepared by: Donna Mayfield, Exec. Secretary Phone 465-6740
Division Exec. Office Date/Time 2/10/00 9:30 a.m.
Approved by Executive Officer *Diane Barrans*, Diane Barrans Date 2/10/2000
Agency ACPE/ALASKA STUDENT LOAN CORPORATION

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TONY KNOWLES
GOVERNOR
2000

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 10, 2000

2/10/00

The Honorable Drue Pearce
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Pearce:

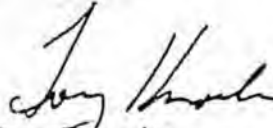
Since 1995, the Alaska Student Loan Corporation has transformed the loan program from an operation posting a \$7 million annual loss to one with a \$6.3 million net income. The exceptional success of the corporation means it is now able to pay dividends back to the state as a return of the capital contributed in 1987 when the corporation was created.

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Governor

STATE OF ALASKA

ALASKA STUDENT LOAN CORPORATION

3030 VINTAGE BLVD.
JUNEAU, ALASKA 99801-7109
PHONE (907) 465-6740
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April 19, 2000

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Finance Committee
Alaska State Senate
State Capitol, Room 518
Juneau, Alaska 99801-1182

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State Capitol, Room 516
Juneau, Alaska 99801-1182

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Finance Committee
Alaska House of Representatives
State Capitol, Room 507
Juneau, Alaska 99801-1182

The Honorable Gene Therriault, Co-Chair
Finance Committee
Alaska House of Representatives
State Capitol, Room 511
Juneau, Alaska 99801-1182

Re: HB373 and SB270

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Senate and House Finance Committee Co-Chairs

April 19, 2000

Page - 2 -

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Senate and House Finance Committee Co-Chairs

April 19, 2000

Page - 3 -

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Sincerely,



Diane Barrans
Executive Officer

DB/dm

SB

270

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/14/00

FURTHER:

REPORTED OUT OF
SFC 4/21/00

DATE TURNED
IN TO OFFICE: 4/21/00

Finance Committee considered

SENATE BILL NO. 270

"An Act relating to return of contributed capital, or payment of a dividend, to the state by the Alaska Student Loan Corporation; and providing for an effective date."

and recommends:

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

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

<u>SIGNING DO PASS</u>	<u>DP</u>	<u>OTHER RECOMMENDATIONS</u>	<u>NR</u>	<u>DNP</u>	<u>AM</u>
<i>Bill E. ...</i>	✓				
<i>[Signature]</i>	✓				
<i>Loren J. ...</i>	✓				
<i>Al ...</i>	X				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>Karl ...</i>	X	Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>EED</i>	<i>2/19/00</i>	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

No. 1
Bill Version: SB 270
(S) Publish Date: 2-11-00

Revision Date/Time (Note if correction) _____ Dept. Affecter: EED
Title: An Act relating to return of contributed capital, or payment of dividend, to the state by the Alaska Student Loan Corpora... BRU ACPE
Component Alaska Student Loan Program
Sponsor Rules Committee
Requester Governor Component No. 18010

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
Based on current projections, the payment for FY01 could be between \$.6 million and \$2.2 million, and future years would vary in accordance with the statutory provisions and future net income amounts

Prepared by: Donna Mayfield, Exec. Secretary Phone 465-6740
Division Exec. Office Date/Time 2/10/00 9:30 a.m.
Approved by Executive Officer *Diane Barrans*, Diane Barrans Date 2/10/2000
Agency ACPE/ALASKA STUDENT LOAN CORPORATION

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STATE OF ALASKA

TONY KNOWLES, GOVERNOR

ALASKA COMMISSION ON POSTSECONDARY EDUCATION

3030 VINTAGE BLVD.
JUNEAU, ALASKA 99801-7103
VOICE (800) 441-2962
In Juneau 465-6740
TDD (907) 465-3143
FAX (907) 465-3293

March 6, 2000

The Honorable Fred Dyson, Chair
Members, Health, Education and Social Services
Committee
Alaska State House of Representatives
Room 104
State Capitol
Juneau, Alaska 99801-1182

Re: HB 373; An act relating to return of contributed capital...

Dear Chairman Dyson and HESS Committee Members:

I am writing to provide follow-up to inquires made during Commission staff testimony before you at your March 2 hearing regarding legislation creating a methodology for the Alaska Student Loan Corporation (ASLC) to return to the State contributed capital, under certain conditions.

The committee requested information regarding the ASLC's ability to use the funds proposed for a return of capital payment to either reduce interest currently being paid by borrowers, or to reduce the rate on loans made in future years.

Regarding a reduction of interest charges for existing loans, enclosed is a copy of the ASLC's 1999 Preliminary Official Statement (POS) for your review. Due to the fact that ASLC bonds are secured by the loans and the expected earnings on those loans, the option of retroactively lowering interest is not available to the Corporation. I would direct your attention specifically to pages 22 through 30 of the POS. You will note that as part of the bond sale process, the Corporation discloses a substantial amount of information about the loan program, including the specific financial terms and conditions of the pledged loans. In marketing and selling its bonds, the Corporation is essentially promising to bondholders that loans issued to back the bonds will contain certain characteristics, and that it will service and collect on the loans in its portfolio in accordance with the terms and conditions set out in the POS. If the Corporation were to reduce its future income stream by altering those loan characteristics without an outside income source to subsidize the change, we would be in violation of our bond covenants.

With reference to the potential use of the funds to further reduce future interest rates, due to the way in which interest rates are calculated, recycling the small amount of capital proposed for payment to the State would not measurably affect that rate. Alaska Student Loan interest rates are determined based on the components articulated in AS 14.43.120(f) and (v) and further defined in 20 AAC 15.945. Because the rates are tied to the weighted average of the stated interest rate on all outstanding bonds and the average program costs for the preceding five fiscal years, reducing the rate on loans is best achieved by continuing to improve the Corporation's credit standing and to reduce program costs (most significantly reducing losses due to uncollected loan principal and interest).

In light of the strength of its current financial turnaround, last November the Corporation Board met and identified four key priorities relating to the ASLC's mission in the 21st century:

- Ensure the fiscal stability and credit standing of the Corporation;
- Continue reducing interest rates to insure affordable education to residents;
- Continue reducing current fund equity deficit of \$43 million; and
- Propose a structure for an annual dividend payment to the State as a return on its capital contribution of \$306 million.

In placing the priorities in this order, the Board is expressly committing this agency to maintaining the long-term availability of the student loan programs and to insuring that educational loans in Alaska remain affordable. Subordinate to those objectives, however, they seek continued improvement in the Corporation's financial position so that the programs we fund will continue to enjoy broadbased public and legislative support, and that we will continue to improve our underlying bond rating to further reduce program costs. At the same time, as an enterprise agency of the State, the Corporation is able to begin sharing the benefits of improved operation by contributing to support general government services.

The committee also expressed an interest in both the model for determining the return of capital payments, as well as the forecasted level of payments for the next few years. Enclosed for your information is the Corporation's Statement of Projected Revenues and Expenses spreadsheet and associated notes prepared by Ms. King, Finance Officer. This provides the forecasted range of payments and illustrates the impact of the payments relative to the investment interest income stream to the ASLC.

House HESS Committee

March 6, 2000

Page - 3 -

Your inquiry regarding the scope of the Commission's administrative garnishment authority respective of regional corporation dividends has been forwarded to our Assistant Attorney General Mary Ellen Beardsley and I will advise you of her response as soon as it is received.

I hope this information is responsive and helpful in providing a context for the proposed legislation. Thank you again for the opportunity to be heard in support of this bill and for your ongoing support of our programs. Further questions can be addressed to either Ms. King or myself at 465-6757 or 465-6740, respectively.

Sincerely,



Diane Barrans
Executive Director

DB/dm

Enclosures

cc: Mary Ellen Beardsley, AAG

Alaska Student Loan Corporation
Statement of Projected Revenues and Expenses
by Fiscal Year

	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Interest income on student loans	30,371,736	29,892,946	30,287,823	30,583,561	31,314,503
Provision for loan loss and forgiveness	(6,500,000)	(6,500,000)	(6,500,000)	(6,500,000)	(6,500,000)
Operating expenses and collection fees	(7,900,000)	(7,900,000)	(7,900,000)	(7,900,000)	(7,900,000)
Operating income	<u>15,971,736</u>	<u>15,492,946</u>	<u>15,887,823</u>	<u>16,183,561</u>	<u>16,914,503</u>
Investment interest income	11,480,287	11,190,752	11,280,404	10,777,420	10,507,200
Bond interest expense	(21,601,665)	(22,156,441)	(22,380,074)	(21,983,863)	(21,727,682)
Amort. of bond discounts	(308,000)	(275,000)	(205,000)	(137,000)	(71,000)
Amort. of bond issue costs	(870,000)	(890,000)	(910,000)	(930,000)	(950,000)
Net income	<u>4,672,358</u>	<u>3,362,257</u>	<u>3,673,153</u>	<u>3,910,118</u>	<u>4,673,021</u>
Net income before return of capital (ROC)	<u>4,672,358</u>	<u>3,417,808</u>	<u>3,827,915</u>	<u>4,142,921</u>	<u>4,979,025</u>
Base year net income	-	6,348,663	4,672,358	3,362,257	3,673,153
10% ROC	-	634,866	467,236	336,226	367,315
35% ROC	-	2,222,032	1,635,325	1,176,790	1,285,603
Net equity increase/(decrease) (35% return)	<u>-</u>	<u>4,126,631</u>	<u>3,037,033</u>	<u>2,185,467</u>	<u>2,387,549</u>

** Assumes 8% rate on all new loan fundings.

NOTES TO STATEMENT OF PROJECTED REVENUES AND EXPENSES

Interest income on student loans is projected using the cashflow information prepared by Salomon Smith Barney (SSB) for the Series 1999A bond transaction and an assumed new loan funding level of \$65 million per year bearing an 8% interest rate. The SSB cashflows include the effect of a 17% default rate with all defaults occurring in the first three years of those cashflows. A default rate of 14% has been used for the new loan fundings as the SSB approach is very conservative and all new loans include certain credit enhancement provisions (i.e. borrower credit checking, etc.). Permanent fund dividend receipts (PFD) are assumed to be \$13 million for each year. PFD's are allocated between principal and interest using a 60/40 split.

Provision for loan loss is estimated using the 14% default rate less the loan origination fee. A **forgiveness** component of \$650,000 is also included.

Operating expenses and collection costs remain flat. Collection costs are expected to decline in future years. It's assumed that the collection cost decrease offsets the cost of living increase in operating expenses.

Interest income on investments is calculated on the using an average rate of 5%.

Interest expense on bonds includes the following new issues:

- \$40 million estimated to close 6/2000
- \$30 million estimated to close 6/2001
- \$23 million estimated to close 6/2002
- \$40 million estimated to close 6/2003

Amortization of bond discounts/premiums assumes that all future bonds are issued at par, therefore, no additional discount or premium to be amortized is included.

Amortization of bond issue costs is assumed to increase by \$20,000 each year.

TONY KNOWLES
GOVERNOR
GOVERNOR OF THE STATE OF ALASKA

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

Office of the
Governor
Juneau, Alaska
99801-1182
Fax: (907) 586-3333
www.governor.alaska.gov

4-270

February 10, 2000

The Honorable Drue Pearce
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Pearce:

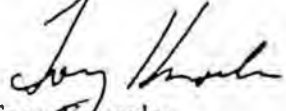
Since 1995, the Alaska Student Loan Corporation has transformed the loan program from an operation posting a \$7 million annual loss to one with a \$6.3 million net income. The exceptional success of the corporation means it is now able to pay dividends back to the state as a return of the capital contributed in 1987 when the corporation was created.

This bill I transmit today provides for the corporation to issue annual payments to the state in years when the corporate net income is at least \$2 million. The payment would be between 10 and 35 percent of the net income, subject to provisions of applicable bond indentures of the corporation.

A fitting use for the dividend income would be to fund the Alaska Scholars Program. This scholarship program at the University of Alaska rewards the top high school students in our state and offers them an opportunity to continue their higher education. The program is estimated to reach a cost of about \$3.6 million and will need general fund support by fiscal year 2002.

Alaska students have reaped great benefits from the state's student loan program. Now that the program can repay some of that investment to the state, we should continue to invest it right back into the education of our young adults. I urge your prompt and favorable action on this measure to receive payments from the Alaska Student Loan Corporation and the intent to use these receipts to fund the Alaska Scholars Program.

Sincerely,


Tony Knowles
Governor

SENATE FINANCE COMMITTEE

SIGN-IN

SB 270-STUDENT LOAN CORP PAYMENTS TO STATE

NAME: James Dierker Subject/Bill No: SB 270
Co./Dept./Title: Exec Dir Actg/Alc Stud Loan Corp Phone: 465-6740
Address: 3030 Vintage Blvd Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: Sheila King Subject/Bill No: SB 270
Co./Dept./Title: Finance Officer ACP/ASLC Phone: 465-6757
Address: 3030 Vintage Blvd Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

SB

271

THE

STAIN

REPORTED OUT OF
SFC 4/7/00

SENATE FINANCE COMMITTEE REPORT

DATE: 2/21/00

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 7 April 00

Finance Committee considered

SENATE BILL NO. 271

"An Act relating to fees charged for inspections by the Department of Environmental Conservation; and providing for an effective date."

and recommends:

- be replaced with _____ CS SB 271 (FIN)
- adopt previous _____ CS _____
- attached amendment(s) CS forthcoming
- adopt Letter of Intent by _____
- further referral to the _____ Committee

- Senate Bill:
- same title
 - new title
- House Bill:
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓	<i>Linda Meen</i>	✓		
<i>[Signature]</i>	✓	<i>Dan Dowdy</i>	✓		
<i>Gary Weber</i>	✓				
<i>Kevin D. Jensen</i>	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>John Darnell</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

<i>forthcoming</i>			
<i>fin</i>			

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSSB 271 (FIN)

Revision Date/Time (Note if correction) _____ Dept. Affected Environmental Conservation
Title Fees for DEC Food Inspections BRU Environmental Health
Component Food Safety and Sanitation
Sponsor Senator Taylor
Requester Senate Finance Component No. 2343

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel	3.3	0.0	0.0	0.0	0.0	0.0
Contractual	0.5	0.0	0.0	0.0	0.0	0.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	3.8	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUES ()	(46.1)	(46.1)	(46.1)	(46.1)	(46.1)	(46.1)
-------------------------------	---------------	---------------	---------------	---------------	---------------	---------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	49.9	46.1	46.1	46.1	46.1	46.1
1005 GF/Program Receipts	(46.1)	(46.1)	(46.1)	(46.1)	(46.1)	(46.1)
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	3.8	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill exempts certain types of mobile food units from inspections, sets fees for non-profits at 50% of the usual fee, and exempts from inspection fees any food establishment that shares a kitchen with another. These changes in the fee exemptions would result in a net revenue loss of \$46.1.

The small increment is to fund travel and public notice costs for one year for the newly established Food Safety Advisory Group.

Additional detail is attached.

Prepared by: Janice Adair, Director Phone 269-7644
Division Environmental Health Date/Time 4/7/00 4:19 PM
Approved by Commissioner [Signature] Date 4-7-00
Agency Department of Environmental Conservation

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Analysis of SB 271 (FIN) Fiscal Note

Section 1 of the bill exempts certain types of mobile food units from routine inspections. We estimate there are 58 facilities such as espresso carts that will be exempted. This will result in a loss of approximately (\$3.7) in program receipts.

Section 2 subsection 1 sets the annual fee for all 501(c) organizations at 50% of the fee level for other similar food establishments.

There are 194 501(c)(3) organizations that are currently exempted in the department's regulations from paying a fee although they are permitted and may be inspected. The total fees that would be charged to this group would equal \$78.5, thus 50% of that would be an increase in program receipts of \$39.3.

There are 105 nonprofit establishments organized under other sections of Section 501 of the IRS Code. They current pay a total of \$36.6. 50% of that amount would result in a loss of program receipts of (\$18.3).

The net result of this subsection is \$21.0 in increased program receipts.

Subsection 2 exempts from inspection fees any food establishment that may share a kitchen with another. Although presented as a way to exclude a restaurant with a bar from two inspection fees, this subsection goes much further. It will exempt from inspection fees most caterers, all those food establishments that are owned and operated separately but share a common kitchen to produce a food product, such as candies, and other types of food establishments that share food production areas at different times to undertake very different activities. There are an estimated 600 facilities that will no longer pay an inspection fee under this language, even though they may not have any association with the owner of the "kitchen" they use. The loss in program receipts with this subsection is estimated to be (\$63.4).

Section 3. Food Safety Advisory Group. As written, the Advisory Group does not qualify for the funding available for such activities from the U.S. Food and Drug Administration. Thus, state general funds will be needed as follows:

Public Notices to meet requirements of Open Meetings Act (5 notices)	\$ 500
Estimated travel, per diem and lodging expenses for advisory group members; Five, two-day meetings	\$3,300
Total	\$3,800

**Summary
SB 271(FIN)**

Revenue loss:	Mobile Units	(\$ 3.7)
	Non-profits	(\$ 18.3)
	Shared kitchens	(\$ 63.4)
Total loss		(\$ 85.4)

Revenue Increase	Charitables	\$39.3
------------------	-------------	--------

Total loss program receipts (\$46.1) Switched to general funds to avoid inspector layoff

Increase funding for one year for Advisory Board: \$3.8 GF

CS FOR SENATE BILL NO. 271(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): **SENATOR TAYLOR**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to oversight of food establishments by the Department of
2 Environmental Conservation; and providing for an effective date."

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

4 * **Section 1.** AS 44.46.020 is amended by adding a new subsection to read:

5 (b) Notwithstanding AS 03, AS 17, or (a) of this section, the Department of
6 Environmental Conservation may not inspect a mobile food unit unless a complaint has
7 been made to the department about the mobile food unit with respect to matters within
8 the jurisdiction of the department. In this subsection, "mobile food unit" means a type
9 of food service located in a vehicle, trailer, or cart that is capable of easily moving
10 daily for servicing of water and wastewater holding tanks, that operates out of an
11 approved commissary, unless it is a self-contained mobile food unit, and that has a
12 menu that is usually restricted to service of specific food; a mobile food unit, other
13 than a pushcart, must be capable of being licensed by the state as a motor vehicle and
14 must be capable of moving without special conditions, such as a pilot car, flagging,

1 restricted hours of movement, or a state motor vehicle permit; except for one ice chest
 2 and one barbecue grill placed immediately adjacent to a pushcart, a unit is not
 3 considered as a "mobile food unit" if it does not completely retain its mobility or is
 4 connected to water or sewer.

5 * Sec. 2. AS 44.46 is amended by adding a new section to read:

6 **Sec. 44.46.026. Fees related to food establishments.** (a) Notwithstanding
 7 AS 44.46.025, the department may not

8 (1) with respect to a food establishment owned or operated by an
 9 organization that is exempt from taxation under 26 U.S.C. 501(c) (Internal Revenue
 10 Code), charge more than 50 percent of the fee charged to an organization that is not
 11 exempt from taxation under 26 U.S.C. 501(c) (Internal Revenue Code) for the cost of
 12 inspection, permit preparation and administration, plan review and approval, or other
 13 service provided by the department under AS 17.20 for a similar food establishment;

14 (2) charge more than one inspection fee when the department inspects
 15 more than one food establishment if the food establishments are contained in one
 16 building and are owned or operated by the same person;

17 (3) exempt a food establishment or type of food establishment from a
 18 fee under AS 44.46.025 unless authorized by a law specifically referring to
 19 exemptions.

20 (b) In this section, "food establishment" means the premises where an activity
 21 occurs that is related to the preparation, processing, packaging, storage, transportation,
 22 display, sale, service, or salvaging of food for human consumption, except that "food
 23 establishment" does not include a private dwelling, including a vessel used solely as
 24 a private dwelling, where food is prepared for consumption by family members or
 25 nonpaying guests.

26 * Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section
 27 to read:

28 **FOOD SAFETY ADVISORY GROUP.** (a) There is established in the Department
 29 of Environmental Conservation a Food Safety Advisory Group composed of five members
 30 appointed by the commissioner of environmental conservation and serving at the
 31 commissioner's pleasure. The commissioner shall appoint one member from each of the

1 following:

- 2 (1) the Cabaret, Hotel, Restaurant and Retailers Association;
- 3 (2) a company that has a food establishment in a rural area of the state;
- 4 (3) a company that has a food establishment that caters to tourists in the state;
- 5 (4) an organization that represents seafood processors in the state;
- 6 (5) an organization that represents small businesses in the state.

7 (b) The Food Safety Advisory Group and the Department of Environmental
8 Conservation shall meet during the interim in order to jointly develop recommendations to be
9 made to the legislature by January 15, 2001, concerning the following matters:

- 10 (1) the appropriate time interval between the department's routine inspections
11 of food establishments;
- 12 (2) the appropriate level of fees that each type of food establishment should
13 pay toward the cost of the department's oversight of the establishment; and
- 14 (3) whether a flat fee should be assessed on different types of food
15 establishments based on the risk level of their operations.

16 (c) Members of the Food Safety Advisory Group are not entitled to compensation for
17 services with the group, but are entitled to per diem and travel expenses authorized for boards
18 under AS 39.20.180.

19 (d) In this section, "food establishment" has the meaning given in AS 44.46.026.

20 * Sec. 4. Section 3 of this Act takes effect immediately under AS 01.10.070(c).

21 * Sec. 5. Sections 1 and 2 of this Act take effect January 1, 2001.

1

RISK BASED INSPECTION FREQUENCY PROTOCOL

(Risk Level = # of routine inspections per year)

Where HACCP is mandatory or being voluntarily followed, only one inspection per year per process/product is a full HACCP inspection.

RISK LEVELS¹	PROCESS/PREPARATION OR CONDITIONS	EXAMPLES
Complaint Only	Ensure minimum health and safety standards are met through plan review and complaint investigation.	Cosmetology; very small bed and breakfasts; public toilets; showers, laundromats.
1	Limited preparation which may include assembling precooked/sliced items; cook and serve; Cold hold and display of prepackaged foods/produce Gill, gut, harvest, package fresh/frozen, (not ready to eat) Physical, microbial and chemical hazards are generally present	Limited food service; mobile food service; bars/taverns; convenience stores; grocery stores; warehouses; fresh/frozen produce and fish processors. Campgrounds (no RVs), hotels/motels/lodges; larger bed and breakfasts.
2	Assemble, cook and serve hot or cold hold (No cooling and reheating) Salvage and repackaging Shellfish harvesters Retail processing including meat and seafood slicing, cutting, and wrapping Processing of ready to eat or shelf stable non potentially hazardous foods, including ready to eat fresh produce Physical, microbial and chemical hazards are present	Delis; food banks; supermarkets; retail seafood and meat markets; bakeries; ice manufacturers; bottled water and other beverages; minced, formulated or salted seafood; candy, jams, jellies and syrup manufacturing; fast food take-out. RV parks, tattoo parlors, residential care facilities, preschools, elementary and secondary schools.
3	Associated with known toxins (tuna, mushrooms, shellfish) Assemble, cook, cool, hold, and reheat Processing and packaging into ready-to-cook meals All processing of warm-blooded animals High physical, microbial and chemical hazards	Processing of foods with known toxins; full service restaurants; meat processing (not covered under MPI); labor camps; institutions. Day care centers and pools/spas.
4	Thermal processing of low-acid foods Reduced oxygen packaging Smoking or curing of ready to eat and shelf stable potentially hazardous foods Pasteurizing	Canning and smoking seafood, meats; roe processing; low-acid canning; any processor that ROPs.

¹ Considerations that may increase or decrease the number of annual routine inspections:

Add one inspection per year for food facilities:

- The facility is an institution that accepts donations of traditional Native foods;
- The targeted population served by the facility is 1) children; 2) elderly; or 3) immunocompromised;
- The facility serves donated traditional Native foods;
- The facility has a scored inspection of 84 or below;
- The facility has a non-scored inspection and has 3 or more critical violations OR 2 or more critical violations AND 2 or more repeated noncritical violations;
- The methods of food preparation at a food service establishment are complex (that is, there are a number of food items or ingredients are prepared in advance requiring cooling and reheating); or
- The facility serves more than 500 meals (500 patrons if a market) per day.

Add one inspection per year for public facilities if:

- Three or more critical violations during last routine inspection
- Secondary school has an industrial arts program.

Deduct one inspection per year for a food facility if:

- The facility has a scored inspection of 94 or above and no critical violations for two consecutive inspections;
- The facility has a non-scored inspection with no critical violations and no more than 4 non-critical violations for two consecutive inspections;
- The facility is a participant in good standing in the Division's facility recognition program; or
- The facility has a sufficient HACCP plan that is being fully implemented.

Deduct one inspection per year for a public facility if:

- No critical violations during last two consecutive inspections.

3/17/00 9:47 AM

2

INSPECTION RISK LEVELS BY OFFICE

Office	# of Inspectors	Risk Level 0	Risk Level 1	Risk Level 2	Risk Level 3	Risk Level 4	Total Risk 2-4	Average Facilities per Inspector
Anchorage	4	24	968	329	396	239	964	241
Fairbanks	3.6	182	898	370	439	118	927	258
Juneau	2	40	413	228	86	59	373	187
Ketchikan	2	35	328	274	127	44	445	223
Kodiak	1	12	143	88	44	16	148	148
Nome	1	28	125	59	72	43	174	174
Palmer	2	79	587	204	198	59	461	231
Sitka	1	21	172	87	102	25	214	214
Soldotna	3	31	866	367	246	37	650	217
Valdez	1	20	228	54	75	32	161	161
	20.6	472	4728	2060	1785	672	4517	

ANCHORAGE OFFICE

ADAK
AKIACHAK
AKIAK
AKUTAN
ALAKANUK
ALEKNAGIK
ANCHORAGE
ANIAK
ANVIK
ATKA
ATMAUTLUAK
BERING SEA AREA
BETHEL
BRISTOL BAY AREA
CHEFORNAK
CHEVAK
CHIGNIK BAY
CHIGNIK
CHIGNIK LAGOON
CHIGNIK LAKE
CHUATHBALUK
CHUGIAK
CLARKS POINT
COLD BAY
CROOKED CREEK
DILLINGHAM
DUTCH HARBOR
EAGLE RIVER
EEK
EGEGIK
EKUK
EKWOK
ELMENDORF AFB
EMMONAK
FALSE PASS
GIRDWOOD
GOODNEWS BAY
GRAYLING
GULF OF ALASKA
HAINES
HOLY CROSS
HOMER
HOOPER BAY
IGIUGIG
ILIAMNA
KALSKAG
KASIGLUK
KATMAI NATIONAL PARK
KING COVE
KING SALMON
KIPNUK
KOKHANOK
KOLIGANEK
KONGIGANAK
KOTLIK

ANCHORAGE Cont'd

KWETHLUK
KWIGILLINGOK
LEVELOCK
LOWER KALSKAG
MANOKOTAK
MARSHALL
MCGRATH
MEKORYUK
MOUNTAIN VILLAGE
NAKNEK
NAPAKIAK
NAPASKIAK
NEW STUYAHOK
NEWHALEN
NEWTOK
NIGHTMUTE
NIKOLAI
NIKOLSKI
NONDALTON
NUNAPICHUK
OSCARVILLE
PALMER (Seafood)
PEDRO BAY
PERRYVILLE
PILOT POINT
PILOT STATION
PLATINUM
PORT ALSWORTH
PORT HEIDEN
PORT MOLLER
QUINHAGAK
RED DEVIL
RUSSIAN MISSION
SAINT GEORGE
SAINT GEORGE ISLAND
SAINT MARYS
SAINT PAUL ISLAND
SAND POINT
SCAMMON BAY
SEWARD
SHAGELUK
SHELDON POINT
SLEETMUTE
SOUTH NAKNEK
STONY RIVER
TAKOTNA
TELIDA
TOGIAK
TOKSOOK BAY
TULUKSAK
TUNTUTULIAK
TUNUNAK
TWIN HILLS
UNALASKA
UPPER KALSKAG
VARIOUS ALASKAN WATERS
WHITTIER

FAIRBANKS OFFICE

ALATNA
ALLAKAKET
ANAKTUVUK PASS
ANDERSON
ARCTIC VILLAGE
ATOASUK
BARROW
BEAVER
BETTLES
CENTRAL
CHALKYITSIK
CHATANIKA
CHENA HOT SPRINGS
CHICKEN
CIRCLE CITY
CIRCLE
CLEAR
CLEARY
COLD FOOT
COLDFOOT
DELTA JUNCTION
DEHALI PARK
DOT LAKE
EAGLE
EIELSON AFB
ELLIOTT HIGHWAY
ESTER
FAIRBANKS
FORT GREELY
FORT YUKON
FOX
GAKONA
GALBRAITH LAKE
GALENA
HARDING LAKE
HEALY
HEALY LAKE
HUGHES
HUSLIA
KAKTOVIK
KALTAG
KANTISHNA
KOYUKUK
LAKE MINCHUMINA
MANLEY
MANLEY HOT SPRINGS
MENTASTA
MINTO
NENANA
NORTH POLE
NORTHWAY
NUIQSUT
NULATO
POINT HOPE
POINT LAY
PRUDHOE BAY
RAMPART
RUBY
SALCHA
SLANA
STEVENS VILLAGE
TANACROSS
TANANA
TETLIN
TOK
TWO RIVERS
UAF
VENETIE
WAINWRIGHT

JUNEAU OFFICE

AUKE BAY
DOUGLAS
ELFIN COVE
EXCURSION INLET
GUSTAVUS
HAINES
HOONAH
JUNEAU
KLUKWAN
PELICAN
SKAGWAY
TENAKEE
TENAKEE SPRINGS

KETCHIKAN OFFICE

COFFMAN COVE
CRAIG
EDNA BAY
HOLLIS
HYDABURG
HYDER
KETCHIKAN
KLAWOCK
METLAKATLA
MEYERS CHUCK
NAUKATI BAY
NAUKATI
POINT BAKER
PORT PROTECTION
PRINCE OF WALES ISLAND
SAXMAN
THORNE BAY
VARIOUS ALASKAN WATERS
WARD COVE
WRANGELL
YES BAY

KODIAK OFFICE

AKHIOK
ALITAK
CHINIAK
KARLUK
KODIAK
LARSEN BAY
OLD HARBOR
OUZINKIE
PORT LIONS

NOME OFFICE

AMBLER
BREVIG MISSION
BUCKLAND
DEERING
DIOMEDE
ELIM
GAMBELL
GOLOVIN
KIANA
KIVALINA
KOBUK
KOTZEBUE
KOYUK
NOATAK
NOME
NOORVIK
RED DOG MINE
SAINT MICHAEL
SAVOONGA
SELAWIK
SHAKTOOLIK
SHISHMAREF
SHUNGNAK
STEBBINS
TELLER
UNALAKLEET
WALES
WHITE MOUNTAIN

PALMER OFFICE

ALEXANDER CREEK
ALEXANDER LAKE
BIG LAKE
CANTWELL
CHELATNA LAKE
CHICKALOON
CHISTOCHINA
CHULTNA
DESHKA RIVER
EAGLE RIVER
GAKONA
GLENNALLEN
GULKANA
HOUSTON
LITTLE SUSITNA
MAT-SU BOROUGH
PALMER
PAXSON
RAINEY PASS
SKWENTNA
SUTTON
TALKEETNA
TRAPPER CREEK
WASILLA
WILLOW
YENTNA RIVER
NINILCHIK
PORT GRAHAM
SELDOVIA
SEWARD
SOLDOTNA
STERLING
TYONEK

SITKA OFFICE

ANGOON
KAKE
PETERSBURG
PORT ALEXANDER
SITKA

VALDEZ OFFICE

CHENEGA BAY
CHENEGA
CHITINA
COPPER CENTER
CORDOVA
KENNY LAKE
McCARTHY
TATITLEK
VALDEZ
YAKUTAT

1999 Food Safety & Sanitation Facilities

Type	Count	Permit	Fee	Charitable/ Exempt (no fee)	Total Fee'd	Risk Level 0	Risk Level 1	Risk Level 2	Risk Level 3	Risk Level 4	Total
Child/Adult	265	N	N					119	145	1	265
Cosmetology	251	N	N			251					251
Food Service	3052	Y	Y*	169	2883		1233	407	961	451	3052
Market	813	Y	Y*	6	807		623	166	24		813
Pool/Spa	105	N	N					53	52		105
Preschool	148	N	N					146	2		148
Processor	132	Y	Y*	1	131		3	122	6	1	132
Public Accommodation	2595	N	N			4	1561	1030			2595
School	532	N	N					222	310		532
School FS	359	Y	N	359	0		26	51	208	74	359
Tattoo	4	N	N					4			4
Toilet/Shower/Laundry	110	N	N			110					110
Washeteria	100	N	N			100					100
Temporary Food Service	500	Y	Y*	50	450			500			500
Seafood Processors	751	Y	Y		751	7	333	240	25	146	751
Total	9717	5607		585	5022	472	3779	3060	1733	673	9717

*Some are waived from fee for 501c3 charitable status

5

Number of Inspections, Fee'd Facilities and Inspectors by Year

CY99			CY98			CY97		
Inspections	# of Fee'd Facilities	Inspectors	Inspections	# of Fee'd Facilities	Inspectors	Inspections	# of Fee'd Facilities	Inspectors
2720	4091 5022	15	4067	5008	19	3998	4678	22

Includes Fee'd Food Service, Seafood, & Temporary Food Service.

Does not include Charitable, School and Head Start Food Service.

Number of Inspectors is the Full Time Equivalent, Not the Authorized Level.

6

Revenue Lost from Exempt Food Facilities

Exempt by Statute - School Food Service and Head Start Food Service

	Total	Risk 1	Risk 2	Risk 3	Risk 4
School Food Service	304	22	49	175	58
Head Start Food Service	43	2	1	28	12

School Food Service & Head Start exempt from fees by AS 44.46.021(d)

Currently Exempt by Regulation - 501c3 IRS status

Charitable	188	30	41	59	58
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Proposed Exempt by Regulation - other 501c status.*

Proposed Charitable	106	65	7	33	1
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Lost revenue	\$ 162,885	Fees for School Food Services
	\$ 80,410	Fees for Charitable Food Services
	\$ 36,625	Fees for Proposed Charitable Food Services*
Total	\$ 279,920	

*Lodges such as Eagles, Elks, Moose, VFW, Amvets, Lions, etc.

90 Inspections were done in 1999 on School Food Service
 88 Inspections were done in 1999 on Charitable Food Facilities
 39 Inspections were done in 1999 on Proposed Charitable Food Facilities
 (note: if a facility was both charitable and a School FS, the count went under Charitable)

Subject: SB 271 revisions and the fiscal impacts

Date: Thu, 6 Apr 2000 14:22:16 -0800

From: "Adair, Janice" <Janice_Adair@envircon.state.ak.us>

To: "Darwin_Peterson (E-mail)" <Darwin_Peterson@legis.state.ak.us>

CC: "Hartley, Bert" <Bert_Hartley@envircon.state.ak.us>,
"Napolilli, Nancy" <NNAPOLIL@envircon.state.ak.us>,
"Swift, Belinda" <BSwift@envircon.state.ak.us>,
"Frank, Barbara" <BFrank@envircon.state.ak.us>,
"Siroky, Mary" <MSiroky@envircon.state.ak.us>

Darwin: If our recommended revisions are adopted in SB 271, here's how I see the fiscal impacts. I'll do my best to explain the rationale behind them; if it doesn't make sense, please give me a call.

* Revenue loss from exempting espresso carts and the other nonpotentially haz. carts from inspections: (\$3.7)

Calculation: As I told you, we can't tell from our database, unless its clear from the name of the business, what the carts serve with precision. Using the names as the guide, we've estimated there are 58 carts that would be exempt from inspections. I understood Sen. Torgerson to say that these would still be "permitted" so to calculate the reduction, we looked at the total charged to all of these facilities and subtracted 30% of the cost. Recall that 30% is the percentage of time spent doing inspections. Since we don't have a separate inspection fee, that seemed to me to be a reasonable approach for calculating the impact of the exemption.

* Revenue lost/gained from 501(c) language: Net increase in PR of \$21.0

Calculation: First, I need to tell you that the number of charitable organizations and their fees provided to you on March 17 were from CY 1999. For this calculation, we have used current numbers so it is more accurate.

There are 194 charitable 501(c)(3) organizations that would pay a total of \$78.5. So, 50% of that would be \$39.3 in new fees. There are 105 nonprofits under other sections of 501(c) that currently pay a total of \$36.6 50% of that would be (\$18.3) in lost fees.

The net result is \$21.0 in new fees (\$39.3 (new) minus \$18.3 (loss)).

* Revenue loss from combining bars and restaurants: (\$33.5)

Again, using the 30% of the current fee as we did for the carts, and estimating we have 382 of these combo facilities, we've estimated the loss to the program to be \$33.5.

* Advisory Group

The per diem rate is \$42/day. That's \$210/day for a five member group. If they are all in Anchorage, there would be no additional costs. If only one or two are outside of Anchorage, then I think we'd be best to bring everyone together after going through the basic initiation process so we can get the recommendations out and written.

If the agency is the initiating agency (and direction from the legislature to establish the group doesn't kick us out of that distinction, neither does legislative participation in the group) and we commit to FDA through a partnership agreement to keep the group going, they will give us \$1,000 annually. This is direction we support. We'd like to have a group that would work with us on a continuing basis on any number of issues.

As I said earlier, if we have a group of educated folks, we can probably knock out recommendations pretty quickly with only minimal additional state funds -- and then only for travel if the members were from outside Anchorage. If the group consists of the organizations identified in this morning's CS, the federal money will cover it as it would cover the per diem for nearly 5 meetings and no travel would be required.

If the make up is different, then state money will be needed. So, I guess that estimate will need to wait until we see what the board looks like.

Another thought on this point I'd like to share: it would be our vision that the groups designated in the bill would pick their members. They are the only ones who know who has the time, the commitment, etc. Our role would be in contacting the entities that match the description (except for CHARR of course which is specifically named) to see if they would be willing to participate. We would not call them and say "we want Joe Blow." I hope that might ease some of the angst that some of the committee members seemed to have.

GRAND TOTAL with advisory group along the lines as in this morning's CS:

Revenue loss from carts	(3.7)	
Revenue gain from 501's	20.7	
Revenue loss from combos	(33.5)	
Total PR loss	(16.5)	I'll prepare the note as a switch to GF unless you let me know otherwise.

Thanks Darwin. Again, call if questions.

Janice

Alaska State Legislature

Chairman,
Judiciary Committee
Administrative Regulations
Revenue Committee

Vice Chairman,
Resources Committee



Senator Robin L. Taylor

State Capitol
Juneau, Alaska 99901-1182
(907) 465-3873
Fax: (907) 465-3922

50 Front Street
Suite 203
Ketchikan, Alaska 99901
(907) 225-8088
Fax: (907) 225-0713

Sponsor Statement

CS for Senate Bill no. 271

"An Act relating to fees charged for inspections by the Department of Environmental Conservation; and providing for an effective date."

Senate Bill 271 has been introduced as a matter of fairness for all businesses providing food services from Restaurants to Day Care centers. Currently food inspection fees are included as a part of the permit process within DEC Food Safety and Sanitation program

During the interim, the Administrative Regulation and Review Committee held a hearing to review the increased fees proposed by DEC. While they continue to raise fees, they have not provided the services for which they have charged. Several business owners have complained that this practice is unfair; for example, the fees for one establishment showed us they experienced an increase from \$75 in 1995 to \$525 in 1999. Another showed their fees increasing from \$50 to \$985.

DEC changed rate setting from one permit for the entire establishment, to individual permits and fees based on type of facility and risk. By separating the food inspection fees from the permit process and not allowing DEC to charge for a service until they provide it, we hope to bring equity to the businesses around the state.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

Personal Services Expenditure Detail
 Department of Environmental Conservation

DRAFT

Scenario: FY2001 Legislative Fiscal Note Info
 Component: Food Safety & Sanitation (2343)
 BRU Name: Environmental Health

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Steps	Comp Months	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	GF Amount
18-4024	Accounting Tech I	FT	A	GG	Fairbanks	2B	12 B	6.0		15,492	0	0	6,040	21,532	21,532
													Total Salary Costs:	15,492	
													Total COLA:	0	
													Total Premium Pay:	0	
													Total Benefits:	6,040	
													Total Pre-Vacancy:	21,532	
													Minus Vacancy Adjustment of 0.00%:	(0)	
													Total Post-Vacancy:	21,532	
													Plus Lump Sum Premium Pay:	0	
													Personal Services Line 100:	21,532	
Total Component Months:		6.0													

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	21,532	21,532	100.00%
Total PCN Funding:	21,532	21,532	100.00%

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column. (If a valid job title) appearing in the Job Class Title indicates that the PCN has an invalid class code or invalid range for the class code effective date of this scenario.

FAX NO. 907 2697654

ADEC EH OFFICE

MAR-03-00 FRI 13:58

Ervon (Ed) Fairbanks
Fairway Market
P.O. Box 355
Skagway, Alaska 99840
Phone: 983-2220
Fax: 983-3220
e-mail: fastfrt@ptialaska.net

DEC Fees for small market have gone up drastically (\$50 to \$985)
Used to have one fee, now charges separately for grocery, meat and deli.
Inspectors do not come to check all three at once.

375 deli
305 meat
305 grocery

\$985 (for 1/1/00 to 12/31/00)

Dale Swartzentruber
Dot Lake Lodge
Box 2255
Dot Lake, 99737
(between tok and delta Junction on the Alaska Highway)
882-2691

Husband and wife operation -- hire one employee for peak season in July and August

Haven't been inspected in over a year.
Small restaurant
Grocery

Used to be \$65 per year, then two permits (about \$200)
Now about \$500 for both

Other fees seem reasonable but DEC has gone through the roof. Percentage of increase is larger for small businesses.

Business license
Gas pumps \$30-60

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Administrative Services

Financial Services

410 Willoughby Ave., Suite 105

Juneau, Alaska 99801-1795

Permits: (907) 451-2112

Billing: (907) 465-5284/5115

Permit No.: 331700302

Billing Date

8/10/95

Billing No.

15407

DALE SWARTZENTRUBER
DBA: DOT LAKE LODGE GROCERY
PO BOX 2255
DOT LAKE AK 99737

Amount Enclosed _____

Please enclose top portion of this billing with your payment and reference your permit number on your check or paperwork. Make check payable to STATE OF ALASKA.

Permit No.: 331700302

Billing No.: 15407

CONVENIENCE STORE WITH FOOD SERVICE 75.00

TOTAL CURRENT FEES \$75.00

TOTAL BALANCE DUE \$75.00

PAYMENT DUE WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS BILLING. PAYMENTS RECEIVED AFTER THIRTY (30) DAYS ARE SUBJECT TO A 5% LATE FEE PENALTY. PAYMENTS THAT ARE MORE THAN SIXTY (60) DAYS PAST DUE ACCRUE INTEREST AT THE RATE PRESCRIBED IN AS 45.45.010. A PERSON WHO DISPUTES THE TYPE OF ESTABLISHMENT IDENTIFIED ON THE BILLING OR THE COMPUTATION OF CHARGES, MAY APPEAL TO THE DIRECTOR OF ENV. HEALTH IN ACCORDANCE WITH 18 AAC 30.165(g); 30.285(g) OR 31.480(h). ANY APPEAL MUST BE RECEIVED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS BILLING.

This billing represents the User Fee billing under Title 18 AAC chapters 30, 31, 34, and 36 which became effective February 19, 1993. The amount due represents an amount which is the annual required fee for your type of operation plus any previous balance, late fee or interest.

Charitable Organizations: This fee requirement does not apply to an organization that is exempt from taxation under 26 U.S.C. 501 (c)(3). As operator, it is your responsibility to provide the Department with a copy of the letter you received from IRS granting you an exemption under this section.

Schools: This fee does not apply to public or private schools for children of school age as defined in AS 14.03.070, or a Head Start center that receives federal financial assistance under 42 U.S.C. 9835. As operator, it is your responsibility to provide the Department with verification that you receive this assistance.

Single Bill
when we started

FISCAL YEAR (FY) 1995 PERMITS PREVIOUSLY ISSUED ARE VALID FOR 30 DAYS AFTER RECEIPT OF THIS BILLING.
FAILURE TO SUBMIT THE TOTAL AMOUNT DUE WILL RESULT IN NON-ISSUANCE OF YOUR FY 1996 PERMIT.

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Administrative Services

Financial Services

410 Willoughby Ave., Suite 105

Juneau, Alaska 99801-1795

Billing Date 12/15/99

Billing No. 55283

Amount Enclosed _____

Address Correction

Business License # _____

Food Establishment Permit No.: 331700302

DALE SWARTZENTRUBER

DOT LAKE LODGE STORE

PO BOX 2255

DOT LAKE AK 99737

Remittance Coupon - Make checks payable to State of Alaska - Detach top portion and Return with your payment to:
State of Alaska DEC/DAS/ Financial Services, 410 Willoughby Ave., Juneau, AK 99801-1795.

Permit & Billing Rate Questions : (907) 451-2113

Payment Questions: (907) 465-5115

Food Establishment Permit No.: 331700302

2000 Calendar Year Billing

1/1/00- 2000 Annual Fee - Type FM-1 Convenience Store

150.00

\$150.00

TOTAL BALANCE DUE

\$150.00

PAYMENT TERMS:

Your Balance Due represents your 2000 Calendar year annual fee for a single type of operation within your food establishment, and any previous unpaid balance, re-inspection fees, late fee/finance charges accrued, minus any payments received through the Billing date. Payment is due January 30, 2000. Payments more than 30 days past due are subject to a late fee penalty and accrue interest at the rate described in AS 45.45.1010. The Department will not issue a permit to any establishment who fails to pay the total balance due in full.

*Amount Bill
Paid over*

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Administrative Services

Financial Services

410 Willoughby Av., Suite 105
Juneau, Alaska 99801-1795

Billing Date 12/15/99

Billing No. 55277

Amount Enclosed _____

Food Establishment Permit No.: 331700101

DALE SWARTZENTRUBER

DOT LAKE LODGE CAFE

PO BOX 2255

DOT LAKE AK 99737

Address Correction

Business License # _____

- Remittance Coupon - Make checks payable to State of Alaska - Detach top portion and Return with your payment to:
State of Alaska DEC/DAS/ Financial Services, 410 Willoughby Ave., Juneau, AK 99801-1795.

Permit & Billing Rate Questions : (907) 451-2113

Payment Questions: (907) 465-5115

Food Establishment Permit No.: 331700101

2000 Calendar Year Billing

1/1/00- 2000 Annual Fee - Type FF-1 Food Service - Seating: 25 or less 375.00

\$375.00

TOTAL BALANCE DUE

\$375.00

PAYMENT TERMS:

Your Balance Due represents your 2000 Calendar year annual fee for a single type of operation within your food establishment, and any previous unpaid balance, re-inspection fees, late fee/finance charges accrued, minus any payments received through the Billing date. Payment is due January 20, 2000. Payments more than 30 days past due are subject to a late fee penalty and accrue interest at the rate described in AS 45.45.1010. The Department will not issue a permit to any establishment who fails to pay the total balance due in full.

Amount Bill per 2

LEGISLATIVE RESEARCH REPORT

MARCH 27, 2000



REPORT NUMBER 00.132

DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOOD SERVICE INSPECTIONS (PRELIMINARY INFORMATION)

PREPARED FOR SENATOR ROBIN TAYLOR

BY KATHLEEN L. WAKEFIELD, LEGISLATIVE ANALYST

You asked us to provide statistics on Alaska's food safety and sanitation program for FY99 and FY2000 to date, including the number of inspections, number of permits issued, and amounts collected from permit and inspection fees. You specifically asked for this information by the following categories: food service, markets, food processors, and temporary food service.

The table included with this report contains information on the number of food safety and sanitation permits issued in 1999, and the number of inspections for 1998 and 1999. Although you requested information by category, the number of inspections is listed by calendar year. In addition, we have not received permit and inspection information for FY2000. We will forward this additional information to you as soon as we receive it from the department.

The Alaska Department of Environmental Conservation is responsible for the food safety and sanitation program in the state. As part of this program, the department inspects and licenses food service establishments around the state, including restaurants, markets, and food processors such as bakeries. Some establishments—for example, laundromats, preschools, and adult and child care facilities—must be inspected for food safety and sanitation, but are not required to be licensed by the department.¹ Other facilities and activities, such as bake sales, bed and breakfast facilities, and activities of private or charitable organizations or churches (as long as the event is not a promotional or fundraising event open to the public), are exempt from the state food code and require neither inspection nor permits.²

The Division of Environmental Health reports that approximately 9,700 facilities in Alaska must meet state food safety and sanitation regulations, including schools and food service or food processing establishments. More than 5,000 food service and food processing businesses

¹ Information provided by the Division of Environmental Health, Department of Environmental Conservation.

² 18 AAC 31.010.

received permits in 1999, including 3,052 food service establishments, 813 markets, 132 food processors, and 500 temporary food service vendors. The division inspected over 2,700 facilities in 1999 (not including charitable organizations, schools, and Head Start programs).³

The division collected approximately \$882,000 in fees for inspections and permits by the middle of March.⁴ They expect to collect a total of over \$1.1 million for FY2000.

I hope you find this information useful. Please do not hesitate to contact us if you have questions or need additional information.

³ Information provided by the Division of Environmental Health, Department of Environmental Conservation.

⁴ Information provided by the Division of Environmental Health, Department of Environmental Conservation.

**Department of Environmental Conservation Food Safety & Sanitation
Permits and Inspections**

Food Safety & Sanitation Facilities--1999

Type of Establishment	Number	Permit Required	Permits Issued	
			Charitable/ Exempt ¹ (no fee)	Non- Exempt (fee paid)
Food Service	3,052	Y	169	2,883
Market	813	Y	6	807
Processor	132	Y	1	131
Temporary Food Service	500	Y	50	450
Seafood Processors	751	Y	0	751
School Food Service	359	Y	359	0
Child/Adult Day Care	265	N		
Cosmetology	251	N		
Pool/Spa	105	N		
Preschool	148	N		
Public Accommodation	2,595	N		
School	532	N		
Tattoo	4	N		
Toilet/Shower/Laundry	110	N		
Washeteria	100	N		
Total	9,717	5,607	585	5,022

Note: 1. Some facilities are exempt from fees due to 501(c) (3) charitable status.

Food Service Inspections--1998 and 1999

	<u>1998</u>	<u>1999</u>
Number of Inspections (Calendar Year)	4,067	2,720

Note: Inspections include temporary food service--they do not include charitable, school, or Head Start food service programs/activities.

Source: Food Safety & Sanitation Program, Division of Environmental Health, Department of Environmental Conservation.

How did DEC come up with the fees?

- 1) Calculated average annual salary for professional staff and for clerical staff
- 2) Calculated the actual average number of work hours to come up with an hourly fee for professional and clerical staff, plus the department's common cost percentage
- 3) Multiplied that hourly fee times the average number of hours to permit and inspect facilities based on permit types

See attachment one; this information was provided in the public notice.

What facilities will be covered by these fees?

Outside the Municipality of Anchorage, any establishment that is not otherwise exempt from fees by regulation that sells or serves food to the public.

See attachment two for that section of our regulations which lists exempted operations.

When does an operator pay more than one fee?

An operator with two or more distinct operations within one facility will pay a fee for each operation. Examples: restaurant with a bar; a restaurant that also caters; a grocery store with a deli.

See attachment three for that section of our regulations.

What is the relationship between the cut and the increased fees?

The amount of general funds that were switched to some type of program receipt by both subcommittees equaled \$887.0; The conference committee cut that amount of \$548.0 therefore, even though the program was cut overall, the amount needed to be raised by fees was increased.

What about facilities that won't be inspected?

The fees paid are program fees and help support all of the food safety services. Inspections are just one aspect. Training and education and technical assistance to operators together account for the largest share of time for our staff.

How many facilities of each type are there?

This is a moving target but when we proposed the fee increases, we used the number that was in our database (permitted) at that time.

See attachment one for these numbers.

**Division of Environmental Health
Food Safety and Sanitation Program**

Analysis of FS&S Program Fees

Calculation for actual annual staff work days and work hours:

Total Days Annually	365
Weekends (52 * 2)	(104)
Paid State Holidays	(11)
3 weeks paid leave (annual + sick average)	(15)
Annual Work Days	235
Number of work hours (/1.5 hour days)	1,763

	Average Cost (statewide)
Technical Staff Cost Analysis	
Average hourly compensation	\$ 65,232
Average hourly cost technical time	\$ 37.01

Clerical Staff Cost Analysis	
Average annual compensation	\$ 41,198
Average hourly cost clerical time	\$ 23.37
30 min. clerical support per hour tech time	\$ 11.69

Total Cost Technical Staff & Clerical Staff	
Total Staff Cost (1 hour technical + 30 minutes clerical support)	\$ 48.70
Indirect cost Pool (39.10%)	\$ 19.04
	\$ 67.74

ADEC FS&S Inspection Rates:	Hourly Re-Inspection Fee Rate--Reg. Time	\$	67.74
	Hourly Re-Inspection Fee Rate--Overtime	\$	101.61
	Hourly Re-Inspection Fee Rate--Sundays, Holidays	\$	135.48

**Division of Environmental Health
Food Safety and Sanitation Program**

Calculation of Department Costs for Permitting and Inspections and other assistance (except plan reviews)

Type of Food Establishment	Average Number of Hours to Issue Permit	Average Hours per Yearly Inspection	Average Total Hours Permit & Inspection	Number of Facilities by Category	Annual Fee at \$67.74 per hour *
Food Service					
Food Service (0-25)	2.5	3	5.5	648	\$373
Food Service (26-50)	2.5	4	6.5	414	\$440
Food Service (51-100)	3	4	7	336	\$474
Food Service (101-200)	3.5	4	7.5	191	\$508
Food Service (over 200)	3.5	4.5	8	63	\$542
Limited Food Service	1.5	1.5	3	459	\$203
Mobile Food Service-not self contained	2	1.5	3.5	60	\$237
Mobile Food Service-self contained	2	1	3	84	\$203
Caterer	3	3	6	53	\$406
Tavern/Bar	2.5	1.5	4	543	\$271
Food Processing					
Bakery	2.5	2	4.5	34	\$305
Bottled Beverages or Water	2.5	2	4.5	9	\$305
Ice Manufacture	2	1.5	3.5	26	\$237
Jam/Jelly/Syrup/Confectionary	2	1.5	3.5	21	\$237
Smokes, Cures, Acidifies, Reduced Oxygen Packaging	3	2.5	5.5	2	\$373
Thermal processor of Low Acid Foods	3	2.5	5.5	1	\$373
Other Food Processing	2	1.5	3.5	28	\$237
Market					
Convenience Store	1.5	0.75	2.25	396	\$152
Grocery	2.5	2	4.5	190	\$305
Grocery portion of a supermarket	2	2	4	47	\$271
Retail Bakery	2.5	2	4.5	37	\$305
Retail Meat Market	2.5	2	4.5	59	\$305
Retail Seafood Market	2.5	2	4.5	16	\$305
Warehouse	2	1.5	3.5	38	\$237
Food Bank or Food Salvager	2	1.5	3.5	1	\$237
Retail Mobile Vendor	1.5	1	2.5	11	\$169
Temporary Food Service					
Temporary- 1 day				120	\$35
Temporary-2 to 3 days				170	\$65
Temporary-4 to 7 days				10	\$90
Temporary-8 to 28 days				200	\$120
Temporary-8 to 28 days submitted less than 15 days before event					\$180
Other Food Establishment					
Other Food Establishment	2.5	3	5.5		\$373

* Proposed permit fees are being rounded to the nearest \$5.00

(e) The following activities and facilities are not subject to this chapter, but are subject to the prohibitions set out in AS 17.20.290:

- (1) custom processing of an individual's sport-caught fish or game;
- (2) a business, such as a gas station, gift shop, video store, or student store, that sells only prepackaged, nonpotentially hazardous food from an approved source;
- (3) a bake sale; for purposes of this paragraph, "bake sale" means the occasional sale to the public at a fundraising event or a seasonal event such as a fair or bazaar of packaged jams, jellies, or confections or bakery-type items such as fruit or berry pies and cobblers, cakes, cookies, donuts, and breads; potentially hazardous food, including bakery-type items that contain potentially hazardous fillings or toppings such as custard, whipped cream, or meringue may not be sold at a bake sale;
- (4) a food establishment selling only popcorn, cotton candy, prepackaged ice cream novelties, black coffee with single-service items, or coffee offered with nondairy creamers and served with single-service items;
- (5) a vending machine dispensing only nonpotentially hazardous food;
- (6) snacks at a school or child care facility;
- (7) continental breakfasts or breakfasts cooked and immediately served at a bed and breakfast homestay with or without a guesthouse;
- (8) the sale of homemade jam, jelly, fruit syrup, herb vinegar, dried herbs, or dried tea leaves, if sold by the person who prepared the food directly to the consumer at a bed and breakfast homestay, a farmers' market, a roadside stand, or a seasonal event, such as a fair or bazaar;
- (9) the extraction of raw honey;
- (10) the packaging or sale of extracted or unextracted raw honey;
- (11) the packaging and sale of raw, whole vegetables and fruit at a farmers' market, a roadside stand, or a seasonal event, such as a fair, if the vegetables and fruit are offered
 - (A) in their natural state; or
 - (B) after rinsing, trimming of unnecessary parts, or separating greens from roots;
- (12) the harvesting and evaporation of tree sap; however, further processing of tree sap, including packaging, is subject to this chapter;
- (13) food prepared and served at a portable field camp that is set up on a transient basis for no more than three days to support a single group of paying customers on an overnight expedition or

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recreational activity, such as backpacking, horseback riding, hunting, fishing, rafting, skiing, or dog mushing;

(14) food served in conjunction with the following activities if the food is prepared or provided by and for members of the group and their invited guests; however, nothing in this paragraph exempts fundraisers, promotional events, or other gatherings that are advertised or open to the public, if food is provided, with or without charge:

(A) a meeting or an event of a private or charitable organization, association, or club;

(B) an activity of a church or other religious congregation;

(C) a gathering, such as a party, picnic, or potluck held by a neighborhood, family, community, school, or office; or

(D) a traditional Native potlatch;

(15) food prepared and served at a foster home, foster group home, child care home, and child care group home, as those terms are defined in 7 AAC 50.990;

(16) food prepared and served at an assisted living home with five or fewer residents; "assisted living home" has the meaning given in AS 47.33.990;

(17) the harvesting or cleaving of glacier ice if the glacier ice is exported from the state without further processing; and

(18) a food establishment within a national park, federal military installation, or public health service hospital where inspections and regulatory oversight are provided by the federal government.

(f) Except for a fee required by 18 AAC 31.050, the department will, in its discretion, issue a waiver requested under (g) of this section that exempts a food establishment listed in this subsection from one or more requirements of this chapter. A waiver does not exempt the operator from complying with AS 17.20.290 or other applicable regulations, including 18 AAC 30, 18 AAC 50, 18 AAC 60, 18 AAC 72, and 18 AAC 80. Food establishments that may be eligible for a waiver are

(1) an adult residential care facility, an institution, a labor camp, or a similar facility serving 10 or fewer residents;

(2) a meal program serving 10 or fewer senior citizens; and

(3) a food service with 10 or fewer seats that serves 10 or fewer persons each day.

APPENDIX 1

(k) The following charitable organizations and types of operations require a permit under this chapter but are exempt from the fee requirements of this section:

(1) a charitable organization that is exempt from taxation under 26 U.S.C. 501(C)(3); and

(2) a food service provided by a public or private elementary or secondary school or head start center described in AS 44.46.02. (d); nothing in this paragraph exempts a group associated with a school from its requirement to obtain a permit and pay the required fee for a group-sponsored food service or a temporary food service event.

(6) a separate permit is required for each operation if two or more operations share some facilities, such as warewashing, refrigerator, freezer, or storage areas, but the preparation or processing area and the display or service area of each operation are segregated by distance or time; segregation by time occurs when different operations use the same areas at different times of the day.

**DIVISION OF ENVIRONMENTAL HEALTH
DIRECTOR'S OFFICE
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March 24, 2000

The Honorable John Torgerson
Co-Chairman, Senate Finance Committee
State Capitol Building, Room 516
Juneau, Alaska 99801

Re: Senate Bill 271

Dear Senator Torgerson:

During the last hearing, on the above referenced bill, you asked me to provide the committee with our calculations for a flat permit fee for food facilities that would not include the cost of an inspection. You asked me to calculate that fee based on the risk levels of the facilities.

In all of the calculations that we are providing you today, we have not included the estimated 500 temporary facilities as they do not lend themselves well to this kind of a fee structure and it would raise their fees substantially. They operate for a very short term, and we inspect them when they are permitted.

We have also not included any of the facilities that we currently permit and inspect but that do not pay a fee, either because of a statutory exemption or a regulatory one. Nor have we included any of the non-food facilities we inspect but for which we do not have fee authority.

Enclosed, you will find our calculations for the flat fee. You see that we estimate a flat fee ranging from \$140 for Risk Level One to \$440 for Risk Level Four. Our calculations are based on this fee being paid annually by every food facility that currently pays a fee.

The cost of an inspection is not as easy to line out because we believe the fee should not only be based on risk but also on the size of the facility and the specific type of facility or operation. For example, a convenience store and a grocery store are both a Risk Level One. However, a convenience store will take much less time to inspect than a grocery store.

Safe Food, Safe Water, Healthy Communities

Page 2
The Honorable John Torgerson
March 24, 2000

I have previously told you that in CY 99, we conducted 2,720 inspections. Of those, 1,826 were routine inspections that would be covered under this legislation¹. We have determined, based on the risk levels only and the average times generally associated with the types of facilities within those risk categories, that the fee for a routine inspection would range from \$100 for a Risk Level One to \$400 for a Risk Level Four facility. For a "hazard analysis critical control point" (HACCP) inspection² of a seafood facility, the inspection fee would range from \$160 for a Risk Level One to \$640 for a Risk Level Four.

You also asked me to give you the amount of general funds in this program. There is a total of \$1,117.6 in unrestricted general fund in this component. Of that, \$211.3 supports the State Veterinarian's office. The balance of \$906.3 supports the following in the Food Safety and Sanitation program: oversight of all public facilities, oversight of the 217 currently exempted facilities, and travel. It also supplements the fees paid by the seafood processing industry, especially the shellfish industry, for its oversight.

There are a couple of other comments I wanted to share that I thought would be of assistance to you. Our risk based protocol is based on a common environmental sanitation risk assessment model that considers:

- the volume of food produced or served,
- the type of process or preparation used,
- whether the population served is highly susceptible to foodborne illness, such as children or the elderly, and
- the facility's compliance history.

For public facilities, the risk assessment considers

- possibility for physical, microbial and chemical hazards; and
- the facility's compliance history.

Finally, depending on what form this bill ultimately takes, I've been reminded by the Department of Law that we may need a delayed effective date of about one year to allow us to revise our regulations accordingly.

¹ We deducted from the previously provided total of 2,270 inspections the following: inspections of 500 temporary facilities, 100 FDA inspections, 217 inspections of schools, head starts, and charitable organizations that are currently exempt from paying fees, and 77 "non-routine" inspections such as compliance re-inspections, spot inspections, or pre-opening inspections.

² A HACCP inspection is a much more involved inspection. In a nutshell, it requires that the food safety inspector 1) analyze the process being utilized at the plant to manufacture the food item; 2) identify the risks associated with that process using the FDA's Hazard Guide; 3) determine the points within the process where a food safety hazard would be reasonably likely to occur; 4) again, using the FDA Hazard Guide, determine the appropriate controls for preventing the safety hazard; 5) review the processor's HACCP plan to determine that it comports with the inspector's review; and 6) review all the monitoring records that the processor is required to keep of the control points.

Page 3
The Honorable John Torgerson
March 24, 2000

I will be available Tuesday morning for the scheduled hearing on this legislation.

Sincerely,

Janice Adair
Director

Enclosure

- Flat Fee Calculation

Flat Fee Annual Permit Calculations

Total Program Receipts	\$1,530.5
30% Inspection Time	(\$459.1)
Less Income from Temporary Facilities	(\$40.0)
Total Permit Fees	\$1,031.4

Number of Facilities that pay a fee	5022
Less number with multiple operations	(477)
Less temporary facilities	(500)
Total Facilities	4045

Total Facilities by Risk Levels	Level 0	Level 1	Level 2	Level 3	Level 4	
	0	1,611	757	1,101	576	
Flat Annual Permit Fee	0	\$140	\$240	\$340	\$440	Total
Flat Annual Permit Revenue	0	\$225.5	\$181.7	\$373.3	\$253.4	\$1,033.9

SENATE FINANCE COMMITTEE

SIGN-IN

HJR 56-CONST. AM: WILDLIFE INITIATIVES

NAME: Gerron Bruce Subject/Bill No: HJR-56
Co./Dept./Title: Fish/Game Phone: 465-6143
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Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
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Unidentified Testifiers: 0

Unidentified Observers: 0

ANCHORAGE (ANC)

1

Name: Lt David Hudson

Phone:

Address:

Affiliation: DPS

City /St /Zip:

Type: Testifier

Bill: SB 259: THEFT OF IDENTITY

2

Name: Mr. Blair McCune

Phone:

Address:

Affiliation: Public Def

City /St /Zip:

Type: Testifier

Bill: SB 259: THEFT OF IDENTITY

FAIRBANKS (FBX)**GLENNALLEN (GLN)**

1

Name: Mr. Douglas Rhodes

Phone: 9078223663

Address: Box 110

Affiliation:

City /St /Zip: Glennallen AK 99588

Type: Testifier

Bill: SB 274: FEES FOR FOOD ESTABLISHMENT INSPECTIONS

OFF-NET TELECONFERENCE PARTICIPANTS

Name: Laddie Shaw
Location: Ft. Rich
Affiliation:
Bill: SB 247

Name: Galen Atwater
Location: Meiers Lake
Affiliation:
Bill: SB 271

Name: Janice Adair
Location: Anchorage
Affiliation: DEC
Bill: SB 271

Name: Alan Lemaster
Location: Gakona
Affiliation:
Bill: SB 271

Name:
Location:
Affiliation:
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Name:
Location:
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Unidentified Testifiers: 0

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GLENNALLEN (GLN)

1

Name: Mr. Doug Rhodes

Phone: 9078223663

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Type: Testifier

Bill: SB 271: FEES FOR FOOD ESTABLISHMENT INSPECTIONS



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TC Date: April 06, 2000	Moderator:
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Status: In-Progress	Dial-up Number:
Sponsor: SFIN: FINANCE	Personal Number: 907 258 8772
Chairs: Parnell	Testimony Allowed: Yes
Torgerson	Time Limit: 5 minutes
Purpose: PUB	Backup Material: No
Contact: Darwin 4652828	Meeting ID: 7346

Public Remarks:

Internal Comments: other sites may add

Agenda

Bill Number	Bill Subject
SB 271	FEES FOR FOOD ESTABLISHMENT INSPECTIONS
SB 259	THEFT OF IDENTITY
SB 212	FISH & GAME GRANTS
HB 43	MUNI.ORDINANCES:POLICE TRAINING SURCHARGE
HB 380	INSURER TAX CREDIT:FIRE STANDRDS COUNCIL
HB 289	AK DEFENSE FORCE/NATL GUARD:TRANSPORT

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	MEI	MEIER'S LAKE	ROADHOUSE	GLN

Off-net Sites

Chair	Code	Name	Location	Phone
	OF1	Janice / Jair		

Participants

Name	Type	Bill
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ALAN SB271
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GAKONA, AK