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CS FOR HOUSE BILL NO. 68()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES KREISS-TOMKINS, Gara, Stutes

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the preparation, electronic distribution, and posting of reports by
2 state agencies."

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

4 * **Section 1.** AS 14.56.120(a) is amended to read:

5 (a) Each state agency shall deposit, upon release, at least five [FOUR] copies
6 of each of its state publications in the center. Additional copies of each publication
7 may be requested by the center for deposit in quantities necessary to meet the needs of
8 the depository library system and to provide inter-library service to those libraries not
9 having depository status.

10 * **Sec. 2.** AS 14.56.170 is amended to read:

11 **Sec. 14.56.170. Distribution of state publications and research data.** The
12 center may not engage in general public distribution of either (1) state publications or
13 lists of publications or (2) the index of publications and research data. However,
14 unless expressly prohibited by law, the center shall make available to any person, upon

request and under procedures established by it, publications, summaries, research data, indices, and other materials in its possession. **Except as provided in AS 44.99.260, reasonable** [REASONABLE] fees for reproduction or printing costs and for mailing and distribution of materials may be charged by the center.

* **Sec. 3.** AS 44.62.175(a) is amended to read:

(a) The lieutenant governor shall develop and supervise the Alaska Online Public Notice System, to be maintained on the state's site on the Internet. The lieutenant governor shall prescribe the form of notices posted on the system by state agencies. The Alaska Online Public Notice System must include

- (1) notices of proposed actions given under AS 44.62.190(a);
- (2) notices of state agency meetings required under AS 44.62.310(e), even if the meeting has been held;
- (3) notices of solicitations to bid issued under AS 36.30.130;
- (4) notices of state agency requests for proposals issued under AS 18.55.255, 18.55.320; AS 36.30.210; AS 37.05.316; AS 38.05.120; and AS 43.40.010;
- (5) executive orders and administrative orders issued by the governor;
- (6) written delegations of authority made by the governor or the head of a principal department under AS 44.17.010;
- (7) the text or a summary of the text of a regulation or order of repeal of a regulation for which notice is given under AS 44.62.190(a), including an emergency regulation or repeal regardless of whether it has taken effect;
- (8) notices required by AS 44.62.245(b) regarding an amended version of a document or other material incorporated by reference in a regulation;
- (9) a summary of the text of recently issued published opinions of the attorney general;
- (10) a list of vacancies on boards, commissions, and other bodies whose members are appointed by the governor;
- (11) in accordance with AS 39.52.240(h), advisory opinions of the attorney general; [AND]
- (12) notices required by AS 26.30.010(d) and (e) regarding

1 applications for military facility zones; and

2 (13) reports of state agencies, if required under AS 44.99.250.

3 * **Sec. 4.** AS 44.99 is amended by adding new sections to read:

4 **Article 3A. Distribution of Agency Reports.**

5 **Sec. 44.99.250. Electronic distribution and posting.** (a) A state agency that
6 produces and distributes a report shall, if the agency has the technological capability to
7 do so, provide copies electronically and post the report on the Alaska Online Public
8 Notice System (AS 44.62.175). An agency may not produce print copies of reports
9 except as

10 (1) required

11 (A) under AS 14.56.120;

12 (B) by agreement; or

13 (C) by federal law; or

14 (2) requested under AS 44.99.260 or specifically approved by the head
15 of a state agency or the head's designee.

16 (b) Except as provided in (a) of this section, electronic distribution and
17 electronic posting on the Alaska Online Public Notice System (AS 44.62.175) fulfills
18 any obligation in state law to publish, prepare, or present a report, and electronic
19 distribution fulfills any obligation in state law to submit a report.

20 **Sec. 44.99.260. Print copy requests.** A person may obtain, at no charge, up to
21 five print copies of reports from the state library distribution and data access center
22 under AS 14.56.170 each day. A person may obtain additional print copies of reports
23 from the state library distribution and data access center for a reasonable fee under
24 AS 14.56.170.

25 **Sec. 44.99.270. Graphic design for reports.** Notwithstanding AS 44.99.200,
26 when preparing reports, a state agency may not hire contractors to provide
27 photographs or graphics unless

28 (1) no agency employee qualified to perform the work is available; or

29 (2) the agency would use fewer state resources by hiring a contractor.

30 **Sec. 44.99.290. Definitions.** In AS 44.99.250 - 44.99.290,

31 (1) "report" means an official document that a state agency is required

1 by law to prepare and distribute to the legislature or the public without a specific
2 request;

3 (2) "state agency" means a department, institution, board, commission,
4 division, authority, public corporation, committee, or other administrative unit of the
5 executive branch of state government, including the University of Alaska, the Alaska
6 Railroad Corporation, the Alaska Permanent Fund Corporation, and the Alaska
7 Housing Finance Corporation.