

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: HB 190  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB190CS(STA)-DEC-CO-04-10-17  
Title: REGULATION ADOPTION/ORAL COMMENT  
Sponsor: TALERICO  
Requester: House State Affairs

Department: Department of Environmental Conservation  
Appropriation: Administration  
Allocation: Office of the Commissioner  
OMB Component Number: 633

**Expenditures/Revenues**

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

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	<b>0.0</b>	***	***	***	***	***

**Fund Source (Operating Only)**

None							
<b>Total</b>	***	<b>0.0</b>	***	***	***	***	***

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version. Fiscal note drafted to committee substitute vs. J.

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Division:	Administration	Date:	04/10/2017 02:30 PM
Approved By:	Larry Hartig, Commissioner	Date:	04/10/17
Agency:	Department of Environmental Conservation		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

BILL NO. HB 190

### Analysis

HB 190 would require the Department of Environmental Conservation to provide the opportunity for public comment on proposed regulations to be given orally. This bill would also remove the requirement that public notice of proposed regulations be published in a newspaper of general circulation. Public notice would still require publication to the Alaska Online Public Notice System and in a trade or industry publication prescribed by the Department, with an added requirement that it be posted to the Department's website.

The Department produces roughly 15 to 20 regulations packages annually. It is impossible to reasonably estimate how many individuals would utilize an option to provide public comment orally. To facilitate oral comment and ensure these comments are documented thoroughly and accurately, the Department would need to establish a dedicated phone line with an 800 number that went directly to a dedicated voicemail box. The Department can absorb the cost of the additional phone line.

Transcriptionist services would need to be employed, which will cost an estimated \$60/hr, plus an additional \$4-\$5 per/page. The majority of regulations packages receive little to no public comment, however it is not uncommon for a high profile or controversial regulations package to receive hundreds of comments. If these comments are received orally via the dedicated phone line, there will be a significant cost to the Department to transcribe them all.

The Department would publish the phone number with every regulations package to avoid the delays and extra costs if oral comment was requested and not previously noticed. This additional text would increase the cost of each public notice.

The Department estimates there may be some savings realized from not being required to publish public notice of proposed regulations in a newspaper, although that option may still be utilized regularly to ensure the targeted community is aware of the proposed package. There are few industry and trade publications relevant to the Department, and they have never been used for public notice so the cost is unknown, though it is anticipated that the cost to publish public notice in them would be significantly higher than in a newspaper. The frequency of when industry and trade publications are published may be a challenge and could delay a regulations package. In many cases, the Department already posts public notice of regulations packages to its website, and any addition workload can be absorbed by existing staff.