

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: CSHB 424(JUD)  
 (H) Publish Date: 3/8/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: LAW  
 Title "An Act relating to review of regulations under the RDU ADMINISTRATION & SUPPORT  
Administrative Procedure Act by the Legislative Affairs Agency..." Component Legislation & Regulations  
 Sponsor Representative Holm  
 Requester House Judiciary Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	*****	*****	*****	*****	*****	*****

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1007 Interagency Receipts						
1141 RCA Receipts						
<b>TOTAL</b>	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill establishes a process by which the Legislative Affairs Agency reviews certain regulations subject to the Administrative Procedure Act. The Department of Law will be impacted in three major ways by legislation:

- 1) The Department of Law is required to submit regulations to the Legislative Affairs Agency for review;
- 2) the Legislative Affairs Agency may consult with the Department of Law in the review process;
- 3) Department of Law will be notified of Legislative Affairs Agency's conclusions and assist agencies in analyzing comments.
- 4) Regulations may not be adopted until after the Department of Law receives notice from Legislative Affairs Agency that the review has been completed.

It is anticipated that the Legislative Affairs Agency's review will lengthen the time for finalizing

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 Agency Department of Law

**FISCAL NOTE #2**

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**BILL NO. CSHB 424(JUD)**

**ANALYSIS CONTINUATION**

regulations. The Drafting Manual will require revision to reflect the changes in the process and training will be needed on the changes. Agencies will require assistance from the Department of Law in responding to public records requests for the analysis produced by the Legislative Affairs Agency. Precluding agencies from acting on regulations absent approval from Legislative Affairs creates a separation of powers issue, and may result in a court test on constitutionality.

The fiscal impact is indeterminate and dependent on the volume of regulations subject to the process in any fiscal year and the level of legal assistance that agencies will need to appropriately consider the comments and to respond to requests.